

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2326 OF 2017

Reliable Spaces Private Limited.

..Petitioner.

Versus

Bank of India.

..Respondent.

Mr. Ashish Gatagat, Kumar Anish Singh I/b SSP Legal for the Petitioner.
Mr. O. A. Das for the Respondent.

Coram : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.

Date : **June 27, 2018.**

P. C. :

1. The petition is filed for the following relief :

"this Hon'ble Court be pleased to issue a writ of mandamus a writ in the nature of mandamus or any other appropriate writ, order or direction from this Hon'ble Court to the Respondent, directing them to forthwith fulfill the commitment made to the Petitioner and forthwith consider the application of the Petitioner for reversal / refund of the pre-payment charges, penal interest and withdrawal concession as levied on the loan account of the Petitioner."

2. The learned counsel for Respondent No.1 at the outset makes a statement that loan taken by the Petitioner from the Respondent – bank is repaid in the month of September 2016.

3. The grievance of the Petitioner is that bank has charged exorbitant penal interest and other charges and therefore he is entitled for the refund of said amount. In our considered view, the petition involves disputed facts which cannot be gone into in exercise

of extra-ordinary jurisdiction of this Court under Article 226 of the Constitution of India. We, therefore, decline to entertain this writ petition. Resultantly, writ petition is dismissed. We, however, make it clear that the Petitioner can avail of any other remedy that may be available to him under the law.

[SMT. ANUJA PRABHUDESSAI, J.]

[RANJIT MORE, J.]