

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CWP No. 6254 of 2018
Date of Decision: 14.3.2018**

APL industries Ltd.

.....Petitioner

v.

Banking Ombudsman and others

.....Respondents

CORAM HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. R.S. Randhawa, Advocate, for the petitioner

RAKESH KUMAR JAIN, J.

The petitioner has challenged the orders dated 21.12.2017 (Annexure P-1) and dated 31.7.2017 (Annexure P-2). As per order dated 31.7.2017 (Annexure P-2), the petitioner has been informed by the office of the Banking Ombudsman that its case has already been dealt with and closed in terms of Clause 13 (a) read with Clause 9 (3) of the Banking Ombudsman Scheme, 2006.

The petitioner then filed the appeal against the decision of the Banking Ombudsman but the said appeal has been turned down on the ground that the Banking Ombudsman is an alternative dispute resolution mechanism and its method of working is summary in nature. In case, the petitioner is not satisfied, it would be at liberty, if so advised, to approach any other Court/Forum or Authority in accordance with law, for its complaint or grievance.

Learned counsel for the petitioner has submitted that the order

(Annexure P-2) supplied to him is considered by the petitioner to be the order of the Banking Ombudsman which is sought to be challenged by the present petition.

After hearing learned counsel for the petitioner and taking into consideration the aforesaid facts and circumstances, I am of the considered opinion that the petitioner has to challenge the order by which its case has been closed in terms of Clause 3(a) of the Banking Ombudsman Scheme, 2006, but the same has not been appended with the petition.

In view of above, learned counsel for the petitioner prays for withdrawal of the present petition in order to obtain the said order, by which its complaint and grievance has been settled by the Banking Ombudsman, for the purpose of further challenge before this Court.

In case, the petitioner obtains the said order, it would be at liberty to file the writ petition again to challenge the same in accordance with law.

(RAKESH KUMAR JAIN)
JUDGE

14.3.2018

Ashwani

Speaking/Reasoned
Reportable

Yes/No
Yes/No