

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4966 of 2019

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Sidhinath Prasad Bhagat Son of Late Ram Kisun Prasad Bhagat, Resident of Mamta Medical Hall, Police Station- Bhabua, District- Kaimur.

... .. Petitioner

Versus

1. Reserve Bank of India, New Delhi through Regional Manager.
2. The General Manager, Reserve Bank of India, 6, Parliament Street, New Delhi- 110001.
3. The Central Board, Reserve Bank of India Secretary's Department, Central Office Building, 16th Floor, Shahid Bhagat Singh Marg, Mumbai- 400001.
4. The Manager, Claim Section, Reserve Bank of India, New Delhi.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate
For the Respondent/s : Mr.Kaushal Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-07-2019 In this case the petitioner is aggrieved by and dissatisfied with E-mail communicated dated 12.05.2018 from the Manager Claim Section of the Reserve Bank of India, New Delhi by which the petitioner has been communicated that a sum of Rs. 41,000/- deposited by him against the Receipt No. 8843 cannot be credited in his account due to the reason "Rs. 45,500/- deposited in Canara Bank on 28.12.2016".

Learned counsel for the petitioner submits that the petitioner along with his wife had gone to America on 04.11.2016 to meet their son. In the meantime, the demonetization was notified on 8th November, 2016. The petitioner returned from America after two months on



06.01.2017. Since he had some old Indian notes for expenses in America which could not be spent and the petitioner returned with an amount of Rs. 41,000/- of old notes, he deposited the same old currency in Reserve Bank of India and requested to credit the same amount in his bank account.

Thereafter the Reserve Bank of India directed the petitioner to furnish copy of updated account statements from November 1 to December 31, 2016. It is not stated as to whether the petitioner made available the Bank statement to the Bank but it is evident from the statements made in the writ application that by the impugned E-mail the petitioner has been informed that the sum of Rs. 41,000/- deposited by him cannot be credited in his account due to the reason that Rs. 45,500/- had been deposited in Canara Bank on 28.12.2016.

It is submitted that in fact the driver of the petitioner had earlier taken Rs. 45,500/- as loan from the petitioner which he had deposited the in the account of the petitioner during the demonetization period when the petitioner was staying in America. The contention is that the deposit made by the driver cannot be taken as a factor to take a view that the petitioner could have deposited the entire amount during the notified period.



This Court has gone through the impugned E-mail communication sent to the petitioner. In the opinion of this Court these are the matters of the policy decisions of the Government and if the policy decision of the Government says that the amount now sought to be deposited by the petitioner cannot be accepted because during the demonetization period some amount was deposited in his account, this Court sitting in its writ jurisdiction under Article 226 of the Constitution of India would not prevail upon the policy decision of the government so as to issue the writ of mandamus directing the Reserve Bank of India to accept the deposit. This Court further finds from the advise as contained in Annexure '4' to the writ application that the petitioner was well informed while calling for the updated account statements that in case he was not satisfied, he could have represented within 21 days to the Central Board of Director, Reserve Bank of India, Secretary's Department, Central Office Building, 16th Floor, Shahid Bhagat Singh Road, Mumbai-400001.

The petitioner claims in the writ application that he has submitted a representation to respondent no. 3.

This Court is of the considered opinion that on the face of the fact that the deposit of the petitioner has been refused



to be credited following the policy decision of the Government of India. No writ of mandamus will be issued.

This writ application has no merit, it is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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