(Through Video Conference)

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WPA 2902 of 2021

Latif Alam
Vs.
The Chief General Manager,
Reserve Bank of India & Ors.

Mr. Abdul Hamid Molla,
Mr. Syed Shahan Shah, Advocates
… … for the Petitioner

Mr. Victor Chatterjee,
Mr. A. Sarbar,
Mr. Pradyut Kumar Das
Mr. Partha Banerjee, Advocates
… … for the RBI

Petitioner seeks a direction upon the Reserve Bank of India to refund the money kept with it along with interest.

Reserve Bank of India is represented.

By an order dated January 11, 2017, the learned Magistrate was directed to keep the amount in an interest bearing Fixed Deposit Account in a Nationalized Bank subject to the result of the case. Apparently, the money was deposited with the Reserve Bank of India and not in any fixed deposit bearing interest with any nationalized bank. It was not in any interest bearing Account. The petitioner did not bring such fact to the notice of any court. Subsequently, the criminal case was disposed of where the petitioner was acquitted. The court also allowed withdrawal of the money as the the period of appeal was over. The petitioner thereafter applied to the Reserve Bank of India by a letter dated January 20, 2021 for refund of the money along with interest.

Learned advocate appearing for the Reserve Bank of India submits that since the amount was not kept in any interest bearing account, no interest is payable.

As noted above, the petitioner did not complain that the amount directed by the order dated January 11, 2017 was not kept in any interest bearing account although the petitioner was aware of the deposit of the money with the Reserve Bank of India contemporaneously.

In the facts of the present case, in my view interest of justice would be subserved by requiring the Reserve Bank of India to refund the sum of Rs. 1,34,500/- to the petitioner within seven days from date. The petitioner through the advocate-on-record will provide the Bank Account number along with the identification of the petitioner to the learned advocate for the Reserve Bank of India in course of two working days from date. On receipt of the same by the advocate for the Reserve Bank of India, it will be treated by Reserve Bank of India as details of the account of the petitioner and his identification.

WPA 2902 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)