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14.07.2021
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**WPA No.19587 of 2019
(VIA VIDEO CONFERENCE)**

Dipan Maite
Vs.
The State Bank of India & Ors.

Mr. Shamim Ul Bari.
... for the petitioner.

Ms. Deblina Lahiri.
... for the respondent nos. 1 to 5.

Mr. Amitesh Banerjee
Mr. Tarak Karan.
... for the State.

Petitioner complains of police inaction.

Learned advocate appearing for the petitioner submits that, the petitioner went to withdraw cash from an All Time Money (ATM) facility of State Bank of India. The petitioner withdrew Rs.3,000/- while subsequently the petitioner learnt that a sum of Rs.36,000/- was debited from the bank account of the petitioner. The petitioner made a written complaint to the Bank. The petitioner also complained to the police. Both the Bank and the police are inactive.

Learned senior advocate appearing for the State submits on instructions that, the police inquired into the complaint and submitted its final report before the

Jurisdictional Magistrate. The police could not identify the culprits.

Learned advocate appearing for the Bank submits that, the Close Circuit Television (CCTV) installed at the ATM facility, where the incident happened, was maintained by a franchisee. The Bank called upon the franchisee to provide the CCTV footage. However, such franchisee could not furnish the CCTV footage.

In such circumstances, the respondents having taken steps as noted above, no further interference is called for by the Writ Court. This order, however, will not prevent the petitioner from availing of his remedies before the appropriate forum, in accordance with law.

WPA 19587 of 2019 is disposed of accordingly without any order as to costs.

(Debangsu Basak, J.)