

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3649 of 2020

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Uttar Bihar Gramin Bank Head Office- Kalambagh Chowk, Muzaffarpur
through its Chief Manager, Mr. Rajan Kumar Gupta.

... .. Petitioner/s

Versus

1. Reserve Bank of India Patna Branch, Issue Department, South Gandhi Maidan, Patna through its Deputy General Manager.
2. The Manager, Reserve Bank of India, Issue Department, South Gandhi Maidan, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Respondent/s : Mr. Kaushal Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 27-06-2022 Heard learned counsel for the parties.

The present writ petition has been filed seeking a direction for quashing letter dated 17.07.2020 issued by respondent Reserve Bank of India by which it has refused to consider the request of the petitioner for exchange of confiscated SBN seized notes since demonetized in connection of Hajipur Town PS Case No. 206 of 2011. The petitioner has also prayed for appropriate action to the respondents for staying



the aforesaid confiscated notes valued at Rs. 1,00,000/- (200 pieces of Rs. 500/- SBN notes).

A robbery took place in Jadua Branch of Regional Office, Hajipur of the petitioner's Bank on 11.04.2011 and three bundles of 100 pieces of Rs. 500/- notes in total of value of Rs. 1,50,000/- were stolen. Consequently, the FIR dated 11.04.2011 under Sections 392, 307 and 411 of the Indian Penal Code was registered. That the money recovered was kept in police custody in a separate packet during the pendency of the trial. Then After demonetization of Rs. 500/- notes, the Jadua Branch of petitioner's Bank on 04.03.2012 made prayer before the Court of ADJ-II, Vaishali in Sessions Trial No. 205 of 2015 for release of SBN notes of Rs. 1,00,000/- (200 pieces of Rs. 500/- each) for exchange of the same from the Reserve Bank of India.

The Court below considered the request of the Bank but the said SBN notes could not be exchanged after 31.03.2017 and directed the SHO, Hajipur vide order dated 17.03.2017 to release the aforesaid money Rs. 1,00,000/- in favour of the Bank through its representative i.e., the Branch Manager of Jadua Branch. Thereafter, the petitioner then approached the Reserve Bank of India for exchange of the said SBN notes of Rs. 1,00,000/-. A copy of the letter dated 21.03.2017 in this regard is



annexed as Annexure P-2 to this petition. The Reserve Bank of India considered the request of the Bank and demanded certain documents. The same are as under:

“(i) Documents stating serial number of notes seized by the police.

(ii) The order of the Court where the court had given denomination of seized notes and permission to deposit the same.

(iii) The order of the court where serial number and denomination of seized notes is stated.”

Since the police had not mentioned the serial number of all the notes in the seizure list and therefore the same was also not mentioned in order dated 17.03.2017 passed by ADJ-II, Hajipur. As such, the Reserve Bank of India refused to exchange the confiscated notes.

This Court does not find any infirmity in the action of the Reserve Bank of India in refusing to exchange the notes for the reasons which are evident above. In any case, much time has lapsed since this request was declined in 2017 and the present petition was filed in 2020 besides the petitioner's Bank wanted that the notes be exchanged. A query has also been put to learned counsel for the petitioner whether the request for exchange of notes was beyond the cut of date fixed by the Government of India, no clear answer is forthcoming.

In view of the above, we find no merit in the petition



and accordingly, the same is hereby dismissed.

(Rajan Gupta, J)

(Shailendra Singh, J)

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