

22nd June, 2022
(D/L No.19)
(SKB)

W.P.A. 384 of 2022

Sanjay Chatterjee
Versus
The Bank of Baroda and others

Mr. Prantick Ghosh,
Mr. Siddhartha Sarkar,
Mr. Hirak Roy
... for the petitioner.

Mr. Ashish Shah
... for respondent nos.1 to 3.

Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee
... for respondent no.4.

The petitioner prays for a direction on respondent nos.3 and 4 to delete the wrong reporting and/or entry in the CIBIL record of the petitioner.

The petitioner relies on a communication on the fact dated 6th November, 2017 which shows that one Mr. Sanjay Chatterjee of certain PAN number and other identification numbers does not have any loan account in the Bank of Baroda. The petitioner thereafter approached the Bank on 9th March, 2021 and 11th December, 2021 requesting the Bank to delete the wrong reporting and corrects the CIBIL record in respect of the loan account, which was reflected and standing in the name of the petitioner.

Learned counsel appearing for the Bank admits that there was some confusion in view of two customers having identical names, one of whom is the petitioner and submits that the petitioner's CIBIL record was corrected on 14th February, 2022. Counsel submits that this fact was not made known to the petitioner since the

writ petition was filed and the Bank was waiting an opportunity to inform the petitioner in court of the fact of the correction.

Although, once the correction has been done, nothing further remains in the writ petition, the conduct of the Bank in keeping the petitioner in dark as to the correction of the CIBIL report requires to be dealt with.

The Stand taken that the Bank would only inform the petitioner of the correction once the matter is taken up by the court shows a vindictive attitude on the part of the Bank. The Bank should be aware that there is no certainty of matters being taken by the court which speaks volumes of the mindset of the Bank.

The Bank should hence compensate the petitioner for its conduct and accordingly pay a sum of Rs.10,000/- to the petitioner within 14 days from today.

W.P.A.384 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)