

21.02.2022
Court No.13
Item No.10
AP

WPA 14813 of 2021

Priti Poddar
Vs.
State of West Bengal & Ors.
(Through Video Conference)

Mr. Rupak Ghosh
Mr. Ratul Das
Mr. Abhijit Sarkar

... for the petitioner.

Mr. Subhas Chandra Sarkar

... for the HDFC Bank.

Mr. Dipanjan Datta

... for the BOB.

Affidavit of service filed in Court today is taken on record.

The writ petitioner is aggrieved by reason of a mistake in name, a sum of Rs.22,91,000/- was mistakenly transferred by RTGS to the account of Castle Distributors Private Limited being respondent No.7 with the respondent No.6. The transfer occurred from the account of the writ petitioner with the Bank of Baroda being the respondent No.5. The respondent No.7 has by a letter in writing dated 18th October 2019 indicated that the transfer was indeed a mistake and that there is no sums due and payable by the writ petitioner to them.

It is submitted, however, that the GST Authorities at New Delhi had in course of investigation of the accounts of the Respondent No.7 had ordered debit freeze.

By a communication stated to have been made by the GST Authorities by email dated 9th January 2020, it has

been clarified that the authorities do not have any objection to the refund to the writ petitioner in the event the High Court orders it.

Despite service of notice, the GST Authorities are not represented.

In that view of the matter, the 6th respondent/HDFC Bank Limited, branch office at 90, B.K. Paul Avenue, Kolkata 700005 shall reverse and transmit the sum of Rs.22,91,000/- to the account being No.00270200001455 of the writ petitioner with the Bank of Baroda forthwith.

Since, nothing further remains to be adjudicated, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)