

18.07.2022
sayandeep
Sl. No. 11
Ct. No. 05

WPA 15131 of 2022

Tania Basu & Anr.
-Versus-
The Union of India & Ors.

Mr. Krishnendu Banerjee
Mr. Swarvanu Saha

....for the petitioners

Mr. Subhankar Chakraborty
Mr. Saptarshi Bhattacharjee

.....for the respondent No. 4

The affidavit-of-service is taken or record.

The relief in the present writ petition is for a direction on the respondent No. 2 being the Sub-Post Master, Lake Town. According to learned counsel appearing for the petitioners, the petitioner is repaid the entire amount of the loan borrowed from the ICICI Bank pursuant to which the Bank issued communications on 10th March, 2021 and 23rd June, 2021 confirming the fact that no further dues are outstanding from the petitioners and the Bank does not have any claim against the petitioners. The petitioners took the loan from the Bank upon deposit of the petitioners' Kisan Vikas Patras documents with the Post Office.

The Bank is represented.

No one however appears for the respondent No. 2 Sub-Post Master.

The petitioner wrote a letter to the Sub-Post Master on 07.09.2021 stating the relevant facts namely that the eight KVP documents amounting to Rs. 62000/- is presently lying in the Post Office. The Post Office however, responded to such documents with a vague denial putting the onus on the Bank. The petitioners applied before the Ombudsman, RBI and the Ombudsman failed to take any action.

Considering the material on record and the fact that the Bank has clearly stated in two documents that it has no further claim from the petitioners and the loan has been repaid in full, there shall be an order directing the respondent No. 2 to take immediate steps in accordance with the communication of the petitioners dated 7.09.2021. The respondent No. 2 shall release the KVP documents and pay the amount mentioned in the communication dated 7.09.2021 to the petitioner within a period of three weeks from the date of communication of this order. The petitioner shall also be entitled to interest at 6% from the date of maturity till the realization of the amount.

WPA 15131 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)