14.12.2022
sayandeep
Sl. No. 34
Ct. No. 05

WPA 24440 of 2022

P.B. Udyog
-Versus-
The Punjab National Bank & Ors.

Mr. Prasad Bhattacharyya
…… for the petitioner
Mr. Samrat Sen
Mr. Abhisekh Banerjee
…..for the PNB

The petitioner is a proprietorship unit represented by its sole proprietor. The petitioner complains against the action of the respondent Bank in closing the current account of the petitioner in the said Bank. The real relief sought for is for compensation. The petitioner claims compensation on the act of the Bank in relation to closing of the petitioner's current account.

The relevant dates before the Court show that the petitioner wrote to the Bank on 2nd September, 2022 and the Bank replied to the letter on 5th September, 2022. The Bank admits to its mistake and further states through the letter that no remittances were received in the petitioner's current account from 22.06.2022 till 05.09.2022.

The petitioner has pleaded monetary losses in the writ petition. However, on a careful perusal of the statements made, it appears that the statements are general in nature and do not disclose any actual or projected loss by reason of the Bank account being closed from 22.06.2022 till the letter was sent by the Bank on 05.09.2022. The claim for compensation is further diluted by the petitioner choosing not to approach the Bank for taking necessary steps but instead filed the present writ petition on 9th November, 2022. The petitioner could surely have taken prompt and expeditious steps to access its account after the Bank admitted to the account being closed through inadvertence.

The claim for compensation cannot be allowed in view of the above reasons. The point taken on behalf of the petitioner that the Bank opened an account in a wrong name before 5th September, 2022 does not assist the petitioner in its claim for compensation since the petitioner could very well have pointed out the mistake soon after receiving the letter in September, 2022.

WPA 24440 of 2022 is disposed of in terms of the above.

The Bank is directed to open the account of the petitioner within 24hrs. from date and inform the petitioner of such. The petitioner shall meet the concerned officer of the respondent Bank for opening of the account which was closed by mistake.

(Moushumi Bhattacharya, J.)