

OD-2

WPO/1808/2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ALOK SURANA
VERSUS
RESERVE BANK OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 13th January, 2022

[Via Video Conference]

Appearance:

Ms. Manju Agarwal,,Adv.

Mr. Bajrong Manot, Adv.

... for the petitioner.

Mr. Sayak Ranjan Ganguly , ,Adv.

Mr. Protip Mukherjee, Adv.

Ms. Asha Mehta, Adv.

... for the respondent no.3.

The Court :- The writ petitioner is aggrieved by the order of the Banking Ombudsman communicated through e-mail dated 23rd November, 2021. The petitioner's complaint against the Yes Bank Limited has not been accepted.

Learned Advocate for the petitioner submits that the order is even otherwise without jurisdiction since the petitioner was neither heard nor have any of the petitioner's grievances against the Yes Bank Limited have been addressed.

At paragraph 5 of the aforesaid e-mail the Ombudsman has stated that the petitioner shall not be constrained in approaching any other legal forum or authority against the actions of the Yes Bank Limited.

Proceedings before an Ombudsman are conciliatory in nature. Hence the findings of the Ombudsman shall not be conclusive against the writ petitioner or

binding on civil or other statutory forum, if the petitioner so chooses to avail and/or approach, against the Yes Bank Limited. Such forum shall proceed to decide the claims of the petitioner, independent of any of the observations of the Banking Ombudsman.

With the aforesaid direction, WPO/1808/2021 stands disposed of.

No order as to costs.

Urgent photocopy of this order be made available to the parties if applied for upon compliance of all requisite formalities.

(RAJASEKHAR MANTHA, J.)