

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4166 of 2015

Pramila Dash

....

Petitioner

Mr. Vivaswat Mohapatra, Proxy Counsel,
on behalf of Mr. A.K. Mohapatra-1, Advocate

-versus-

***Assistant General Manager,
United Commercial Bank,
Bhubaneswar, District-
Khurda & Others***

....

Opp. Parties

Mr. Bibhuti Bhusan Swain,
Advocate for the Bank

**CORAM:
JUSTICE JASWANT SINGH
JUSTICE M.S. SAHOO**

**ORDER (Oral)
02.11.2022**

**Order No.
07.**

This matter is taken up through virtual/physical mode.

1. The petitioner, who has concededly closed all her loan accounts upon deposit of the required amounts, has laid challenge in the present writ petition to the order dated 30.12.2014 passed by the Banking Ombudsman, Bhubaneswar, whereby her complaint in respect of non-return of the title deed *qua* a particular sale deed on account of having been lost by the Bank, has been dismissed.

2. At the time of hearing, to cut the matter short in view of the admitted facts, it has been agreed that the Bank would return the certified copy of the original sale deed, publish the loss of documents in the local newspaper and also issue a certificate of the

loss of the original title deeds, to the petitioner along with compensation of Rs.50,000/- as awarded by the Ombudsman and paid by SBI/O.Ps. in a similar case of another complainant. The document establishing the fact is annexed as Annexure-7.

3. In view of the aforesaid agreed stand, the present writ petition is disposed of with the following directions:

i) The Bank will arrange to get certified copy of the original sale deed at its expense and hand over the same to the complainant/petitioner.

ii) The Bank will give a certificate reflecting the loss of title deeds from their custody.

iii) The Bank will publish the loss of documents in the local Newspaper.

iv) The Bank will issue a clearance certificate to the complainant/petitioner.

v) In addition to above, the Bank will also pay Rs.50,000/- to the complainant/petitioner as compensation since she has been deprived of her original documents for no fault of her own.

4. The needful shall be done within two months from today failing which the competent/sanctioning authority shall make itself liable to be hauled up in

contempt proceeding apart from exemplary cost to be paid from his/her own pocket.

(Jaswant Singh)
Judge

(M.S. Sahoo)
Judge

AKK

2nd November, 2022
Cuttack

