

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.31399 Of 2020
(Through hybrid mode)**

M/s. Panda Infraproject Ltd. Petitioner

Mr. D.P. Nanda, Senior Advocate

-versus-

State Bank of India and others Opposite Parties

Mr. D.N. Mishra, Advocate for O.P.4
in W.P.(C) no.17163 of 2020

P.K. Mohanty, Sr. Advocate

Mr. P.K. Pasayat, Advocate

Mr. A.K. Sharma, AGA

CORAM: JUSTICE ARINDAM SINHA

**ORDER
23.02.2022**

**Order
No.**

14.

1. Mr. Nanda, learned senior advocate appears on behalf of petitioner and submits, his client had lodged complaint with the Banking Ombudsman (opposite party no.4). Said opposite party by communication dated 17th September, 2019 rejected the complaint.

2. Mr. Mishra, learned advocate appears on behalf of opposite party no.4 and hands up the scheme. He demonstrates therefrom, clause-8 provides for the grounds of complaint that will be entertained by his client. Clause 13(a) in the scheme says that a complaint, if appears to his client to be made not on the grounds mentioned in clause-8, will be rejected.

3. Mr. Nanda submits, the bank is reducing sanctioned limits of credit facility granted to his client. The complaint of his client was rejected on technicality of the scheme. His client has not found remedy neither from the bank itself nor from opposite party no.4. His client wants to find relief otherwise and there be direction giving such liberty to his client.

4. By impugned communication dated 17th September, 2019, opposite party no.4 itself put petitioner at liberty to approach any other grievance redressal forum, in accordance with law. Petitioner is entitled to do so.

5. It is made clear that though by subsequent communication dated 12th December, 2019 opposite party no.4 said that the complaint resubmitted had been earlier dealt with on merits by the office, this Court is convinced, the complaint was rejected on technicality of nonconformity with grounds in the scheme and not on merits.

6. With above observations, the writ petition is disposed of.

(Arindam Sinha)
Judge

Sks