

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1581 OF 2019**

Nalini N Nayak & Ors

...Petitioners

Versus

The Banking Ombudsman & Ors

...Respondents

Mr Hrishikesh Chavan, for the Petitioners.

Ms PN Diwdan, AGP, for the Respondent-State.

Mr Girish Thaavi, i/b SSP Legal, for Respondent No. 3.

**CORAM G.S. Patel &
 Sharmila U. Deshmukh, JJ.**

DATED: 23rd November 2022

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1. The Petition is misconceived. It assails an communication dated 17th January 2017 of the Reserve Bank of India saying that the Banking Ombudsman had closed the complaint since the response of the State Bank of India against whom the complaint was directed had been found to be satisfactory. Learned Advocate for the Petitioners states that no hearing was afforded by the ombudsman.

2. We have considered the communication as also the complaint of the Petitioner which is at Exhibit "G" from pages 45 to 49. We refrain from making any comment on the merits of the complaint. But it is abundantly clear that this is not a complaint within the

frame of the Banking Regulation Act at all. The complaint is more in the nature of the grievances best agitated in civil proceedings in a court of competent jurisdiction.

3. While preserving the right of the Petitioner to agitate those grievances in a court of competent jurisdiction and leaving all contentions open on both sides including as to limitation, we dispose of the Petition with no orders. There will also be no order as to costs.

(Sharmila U. Deshmukh, J)

(G. S. Patel, J)