

AD-07
Ct No.09
06.12.2023
TN

WPA No. 24123 of 2023

Arup Paul @ Arup Pal
Vs.
The Union of India and others

Mr. Pawan Kumar Gupta,
Mr. Syed Julfikar Ali,
Ms. Sofia Nesar,
Mr. Santanu Sett

.... for the petitioner

Mr. Aryak Dutta,
Mr. Soumen Bhattacharya

.... for the UOI

Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee,
Ms. Sonia Nandy

.... for the respondent nos.4 & 5

- 1.** As per previous direction, an affidavit-of-service is filed today which indicates that proper service has been effected on the added respondent no.7, that is, the Inspector of Police, State Cyber Crime Cell, Tamil Nadu. However, none appears for the said added respondent despite service at the time of call.
- 2.** The grievance of the petitioner is that the petitioner's account was frozen by the respondent-Bank at the behest of the respondent no.6, that is, the Officer-in-Charge, CEN Crime Police Station, Mangalore City and the Inspector

of Police, State Cyber Crime Cell, Tamil Nadu. Insofar as Mangalore is concerned, the respondent no.6 has intimated to the respondent-Bank that the petitioner's account may be de-freezed, as per submission of the Bank.

- 3.** The only sticking point which remains in respect of the petitioner is the intimation of the Tamil Nadu Police in that regard. Since the respondent no. 7 chooses to remain unrepresented despite service, the writ petition is taken up for final adjudication in their absence.
- 4.** As the respondent no. 7 has failed to appear or be represented in court and substantiate any valid reason for directing the respondent-Bank to freeze the account of the petitioner, the said intimation shall be disregarded by the respondent-Bank.
- 5.** Accordingly, WPA No. 24123 of 2023 is allowed, thereby directing the respondent no.4, that is, the Branch Manager, Nabadwip Branch, ICICI Bank Ltd. to ensure that the concerned account of the petitioner is de-freezed with immediate effect. The petitioner shall now be able to operate the said account disregarding such previous freezing of the account.

- 6.** Parties shall act on the server copy of this order, without insisting upon prior production of a certified copy thereof.
- 7.** There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)