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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2603/2024

ARUN GUPTA

.....Petitioner

Through: Mr. Umang Tyagi, Ms. Nikita  
Anand and Ms. Aditi Kapoor,  
Adv.

versus

UNION BANK OF INDIA AND ANR .....Respondents

Through: Mr. Santosh Kumar Rout, Ms.  
Dharna Veragi, Adv. for R-  
1/Union Bank of India  
Ms. Mehak Nakra, ASC (Civil),  
GNCTD with Mr. Devansh  
Solanki, Adv. for R-  
3/Department of Irrigation and  
Flood Control

**CORAM:**

**HON'BLE MR. JUSTICE DHARMESH SHARMA**

**ORDER**

% **16.07.2024**

1. This hearing is being conducted through hybrid mode.
2. In terms of the previous order dated 09.05.2024 passed by this Court, on impleadment and notice having been issued, learned counsel is present for the Irrigation and Flood Control Department, GNCTD<sup>1</sup>. She requests for time to file a reply.
3. Having heard the learned counsel for the petitioner as also the learned counsel for respondent No.1/Union Bank of India, this Court finds that no reply is called for from the Irrigation and Flood Control Department, GNCTD.

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<sup>1</sup> Govt. of NCT of Delhi



4. The grievance of the petitioner is that respondent No.1/Union Bank of India has frozen his account and has restricted him from operating the same based on a letter dated 12.12.2023 written to the Bank Manager of the respondent by the Executive Engineer in the Irrigation and Flood Control Department, GNCTD. It is evident that there is some civil dispute between the petitioner and the Irrigation and Flood Control Department, GNCTD.

5. During the course of the arguments, learned counsel for respondent No.1/Union Bank of India conceded that they have not been issued any notice by the police or any other investigating agency to freeze the account of the petitioner and not to allow him to operate the same.

6. Learned counsel for the petitioner submitted that he has already invoked the arbitration clause and is seeking redressed of his claim against respondent No.3/ Irrigation and Flood Control Department, GNCTD.

7. That being the case, the respondent No.1/Union Bank of India cannot freeze the account of the petitioner merely on *ipse dixit* of the Irrigation and Flood Control Department, GNCTD.

8. In view of the above, the present writ petition is allowed and respondent No.1/Union Bank of India through its concerned Branch Manager is directed to de-freeze the bank account bearing No. 416201010035870, Chandra Nagar, East Delhi Branch of the petitioner forthwith and to allow him to operate the same.

9. This order is passed without prejudice to rights and contentions of the petitioner as well as the Irrigation and Flood Control



Department, GNCTD in the pending civil dispute. The parties shall bear with own cost.

**DHARMESH SHARMA, J.**

**JULY 16, 2024/sp**