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

+ **W.P.(C) 9066/2024**

EARTHCON CONSTRUCTIONS PRIVATE LIMITED

.....Petitioner

Through: Ms. Soumya Kumar, Adv.

versus

OMBUDSMAN RESERVE BANK OF INDIA, & ORS.

.....Respondents

Through: Ms. Abhilasha Sharma, Adv.
for R-1
None for R-2/Canara Bank Mid
Corporate Branch

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **05.07.2024**

1. This hearing is being conducted through hybrid mode.

CM APPL. 37077/2024 (Ex.)

2. Allowed, subject to all just exceptions.

3. The application stands disposed of.

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4. The petitioner has filed the present writ petition under Articles 226 and 227 of the Constitution of India seeking issuance of an appropriate writ in respect of the inaction on the part of the respondents to withhold the title deeds with regard to the property submitted by them at the time the loan was advanced.

5. Learned counsel for respondent No.1 is present on advance notice.

6. None appeared on behalf of respondent No.2/Canara Bank Mid



Corporate Branch, despite sending advance notice. Respondent No.2 is stated to be the main contesting party.

7. Having heard the learned counsel for the petitioner, it is manifest that the petitioner company has made in full, the payment of the loan amount and an NOC has also been issued apart from the loan closure letter by respondent No.2.

8. At this stage, although no interim relief is claimed, it is stated by the learned counsel for the petitioner that the documents in question are required for availing a loan from the Swamih Investment Fund, with regard to which she has alluded to the letter dated 08.02.2024.

9. It is also brought out that the proceedings are pending before the Ombudsman.

10. Evidently, a complaint has been filed before the Ombudsman on 24.04.2024. It is submitted that the despite giving several opportunities to respondent No.2/Canara Bank to release the documents in question, the officials have delayed the matter and the relevant documents have not been released. In this regard, she has also alluded to another letter dated 14.05.2024, whereby the petitioner was informed that they are at liberty to come to the Bank and collect the papers.

11. In view of the above, the present petition is disposed of with the direction to the Ombudsman to decide the complaint of the petitioner within two weeks from today.

12. A copy of this order be given *dasti*.

DHARMESH SHARMA, J.

JULY 05, 2024

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