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

+ **W.P.(C) 14496/2022**

**PRAHLAD AGGARWAL**

..... Petitioner

Through: Mr. Prashant Diwan, Mr. Brajesh Dwivedi, Mr. Mayank Verma, Mr. Rohan Tandon, Advocates.

versus

**GOVT. OF NCT OF DELHI AND ORS.**

..... Respondents

Through: Mr. Avishkar Ssinghvi, ASC with Mr. Vivek Kumar Singh and Mr. Naved Ahmed, Advocates for GNCTD.  
Mr. Piyush Beriwal, Mr. Nikhil Kumar Chaubey and Mr. Sahaj Garg, Advs. for R-3.  
Mr. Ramesh Babu, Ms. Manisha Singh and Ms. Nisha Sharma, Advocates for RBI.  
Insp. Yakub Khan.

**CORAM:**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

**19.03.2024**

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1. The Petitioner has approached this Court with the following prayers:

*“I. Issue a writ of Mandamus, directing the appropriate authorities to convert the demonized currency of the Petitioner with current valid tender.*

*II. Any other order or direction as the Hon'ble Court may please.”*



2. The facts of the case reveal that the Petitioner was robbed of his property on 02.02.2007 and an FIR bearing No.43/07 dated 03.02.2007 was registered at Police Station New Delhi Railway Station for offences under Sections 384/170/34 of the IPC. During the course of the investigation, a sum of Rs.4,40,000/- along with Gold Jewellery of about 104-107 grams was seized from the accused persons. At time when the amount was seized, there were Rs.500 and Rs.1,000 rupees notes which have been demonetized by the Government on 08.11.2016.

3. The Petitioner has now approached this Court with a prayer to return the amount in the currency which is valid legal tender as of today.

4. Mr. Ramesh Babu, learned Counsel appearing for the Respondent/RBI, draws attention of this Court to the Specified Bank Notes (Deposit by Banks, Post Offices and District Central Cooperative Banks) Rules, 2017. Rule 2 of the said Rules, 2017 reads as under:

***“2. Deposit of specified bank notes with Reserve Bank. - (1) Where in pursuance of the notification of the Government of India in the Ministry of Finance number S.O. 3407(E), dated the 8th November, 2016, published in the Gazette of India, Extraordinary, the specified banks notes have been accepted from their customers,-***

*(a) by any Bank or Post Office on or before the 30th December, 2016; or*

*(b) by any District Central Cooperative Bank within the period of 10th November to 14th November, 2016,*

*such specified bank notes may be deposited by such Bank, Post Office or District Central Cooperative Bank, as the case may be, in any office of the Reserve*



*Bank, within a period of 30 days from the commencement of these rules, and get the exchange value thereof by credit to the account of such Bank, Post Office or District Central Cooperative Bank, as the case may be, subject to the satisfaction of the Reserve Bank of the conditions specified in the said notification and the reasons for non-deposit of the specified bank notes within the period under that notification.”*

5. It is always open for the Petitioner to follow the procedure as laid down under the aforesaid Rules for the release of the notes which are case property in FIR No.43/07 dated 03.02.2007.
6. In view of the above, the writ petition is disposed of, along with pending application(s), if any.

**SUBRAMONIUM PRASAD, J**

**MARCH 19, 2024**

*S. Zakir*