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

+ **W.P.(C) 11935/2024**

**SHAILESH KUMAR JAISWAL ALIAS SAILESH KUMAR
JAISWAL**Petitioner

Through: Mr. Bhupendra Pratap Singh,
Mr. Nakul, Mr. Anuj Kumar &
Mr. Anurag Kumar, Advs.

versus

PUNJAB AND SIND BANK & ORS.Respondents

Through: None.

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

ORDER
29.08.2024

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CM APPL. 49643/2024 – EXEMP.

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 11935/2024 & CM APPL. 49642/2024 – STAY

3. The petitioner is invoking the extraordinary jurisdiction of this Court for issuance of an appropriate writ, order or direction to the respondent/Bank for defreezing of the Bank account and allowing him to operate the same.
4. None appeared on behalf of the respondents/Bank despite sending advance notice.
5. Learned counsel for the petitioner has urged that the petitioner assumed that since he was an accused in the pending CBI case No. 40/2023, before the Special Judge, CBI, Rouse Avenue Courts, New Delhi, he wrongly moved an application for defreezing of his accounts



before the learned Special Judge (PC Act), CBI 16, Rouse Avenue Courts. Anyhow as reflected in order dated 17.10.2023, it was acknowledged on behalf of the CBI that they have not issued any notice to the concerned banks for freezing of the account and a direction was passed by the learned Special Judge that the applicant/accused be allowed to operate the account. However, the said directions are not enforceable for want of jurisdiction to pass such order by the Special Court.

6. Since no one is present for the respondent, it would be appropriate that the present writ petition may be treated as a last and final representation by the petitioner to the respondents to defreeze his bank accounts.

7. The petitioner has three different accounts with each of the branches indicated as respondents No. 2, 3 & 4. Let the present writ petition be addressed to each one of them for a decision forthwith.

8. The respondents/Bank Branch Manager shall take appropriate decisions within 15 days of the receipt of the representation. A reasoned order may be passed after hearing the petitioner within 21 days thereafter and be communicated to the petitioner.

9. The writ petition is disposed of accordingly without prejudice.

10. Copy of the order be given to the petitioner *dasti* under the signature of Court Master for information and necessary compliance by the Branch Manager concerned including the Chief Managing Director (CMD). Non-compliance shall entail initiate of contempt proceedings against them in accordance with.

DHARMESH SHARMA, J.

AUGUST 29, 2024/sa