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

% ***Date of Decision: 13th December, 2024***

\+ W.P.(C) 17215/2024 & CM APPL. 73154/2024

ADITYA SAURABH .....Petitioner

Through: Present in person.

versus

UNION OF INDIA & ORS. .....Respondents

Through: Mr. Kushal Kumar, SPC for UOI/R-1. Mr. Dhaval Mehrotra and Ms. Aditi Desai, Advocates for RBI/R-3 (through VC).

**CORAM:**
**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T** *(oral)*

1. Petitioner is maintaining an account with Mobikwik (respondent No. 4) and was granted credit limit of Rs. 60,000/- for use, as needed.

2. According to petitioner, on 27.10.2023, his e-wallet was compromised without his knowledge or consent, resulting in a fraudulent transaction amounting to Rs. 59,917/-.

3. Upon discovering such fraud, the petitioner promptly contacted all concerned and reported the incident to respondent No. 4 as well.

4. Petitioner, later on, filed a complaint with Cyber Crime, based on which an FIR has already been registered.

5. Petitioner also filed a complaint with Reserve Bank of India, and his grievance is that such complaint is pending since 12.04.2024. He also contends that despite the fact that he had been cheated and FIR was lodged at

his instance, his CIBIL Score has taken a toll.

6. Learned counsel for respondent Nos. 1 and 3 appears on advance notice and accepts notice.

7. Learned counsel for Respondent No.3-RBI submits that the above said representation has already been disposed of by RBI on 16.10.2024.

8. It seems that the petitioner is also aware about the above said communication as he has already filed an appeal with the Appellate Authority under the Reserve Bank-Integrated Ombudsman Scheme 2021.

9. Such appeal was filed by him on 20.11.2024 and is yet not disposed of.

10. Learned counsel for respondent No. 3-RBI states that every endeavor would be made to dispose of the appeal as expeditiously as possible.

11. Let such appeal be decided by the concerned Appellate Authority within a period of ten weeks from today.

12. As far as the impact of the above said incident upon CIBIL Score is concerned, the petitioner shall file fresh application/request in this regard, addressed to respondent No. 2 i.e. Credit Information Bureau (India) Limited (CIBIL) clearly apprising them about the facts so as to enable them to take appropriate decision in this regard. According to petitioner, he is victim of fraud and not responsible for fraud and, therefore, his CIBIL score should not be downgraded holding that there was a fraudulent transaction.

13. Needless to say, in case, the petitioner is aggrieved by the outcome of the above said appeal and representation, he would be at liberty to come to the

Court again.

14. A copy of this order be also communicated by Registry to respondent Nos. 2 to 4.

15. The petition stands disposed of, in aforesaid terms.

16. All the rights and contentions of the parties are reserved.

**(MANOJ JAIN)**
**JUDGE**

**DECEMBER 13, 2024/***sw*