

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13031 of 2017

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Md. Mainul S/o- Sammad, At present Resident of House No. 12, Ashiana
Nagar, P.S.- Shastri Nagar, Patna.

... .. Petitioner/s

Versus

1. Canara Bank Through The Managing Director
2. The Regional Manager, Canara Bank, Circle Office, Lav Kush Tower,
Exhibition Road, Patna.
3. The Branch Manager, Canara Bank, Branch Office- Raja Bazar, Patna-14.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Mishra, Adv.
		Mr. Sumit Kumar, Adv.
For the Respondent/s	:	Mr. Rajan Ghoshrave, Adv.

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL JUDGMENT

Date : 12-05-2025

1. The Writ petition is filed for the following
reliefs:-

*(i). For a direction to the
respondents to credit the amount of
Rs. 90.000/- (Ninety Thousand) in the
Account of petitioner, as Rs.
100,000,-/- was found debited from
27.06.2017 to 29.06.2017 but later
Rs. 10,000/- was found credited on
13.07.2017 in his account though the
petitioner has never done any*



transaction regarding amount in any manner.

(ii). For a direction to the respondents to pay cost of litigation and compensation to the petitioner who has been compelled to knock the door of Hon'ble Court without any fault.

(iii). For a direction to the respondents to take stern action against erring officials who are indulged in defalcating people's money after conducting enquiry.

(iv). For any other relief/relief(s) to which the petitioner may be found entitled to in the eye of law.

2. The brief facts culled out from the Writ petition are that the petitioner opened his savings bank account bearing No. 2519101007323 in the respondent bank and subsequently got issued a Debit Card bearing No. 47093925 by the respondent No. 3.

3. On 29.06.2017, the petitioner submitted an application along with his passbook and ATM-cum Debit Card raising concerns regarding a deduction of



Rs. 1,00,000/-from his account, based on messages received by him. On 13.07.2017 an amount of Rs. 10,000/- was credited back into his account. Thereafter, the petitioner repeatedly approached the bank authorities requesting the credit of the remaining balance of Rs. 90,000/-. As his grievances remained unaddressed, the present Writ petition was filed.

4. Upon perusal of the statement of the account (Annexure-3), it is evident that an amount of Rs. 1,00,000/- was deducted from the account of the petitioner and subsequently, Rs. 10,000/- was credited. However, it is a pure question of fact which must be redressed by the respondents. If at all, the petitioner has any grievances, he has to file a suit against the respondents for recovery of the amount. These are all factual disputes that cannot be adjudicated under Article 226 of the Constitution of India. The fundamental rights of the petitioners are not violated. However, an observation is made giving liberty to the petitioner to avail his remedy before the appropriate forum for redressal of his grievance.



5. Therefore, the Writ petition is dismissed as it is devoid of merits.

(G. Anupama Chakravarthy, J)

Manish/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.05.2025
Transmission Date	16.05.2025

