

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15125 of 2017

Writers Safeguard Pvt. Ltd. son of Mr. Parmanand Singh, Resident of A.G. Colony, Shri Nagar, Road No. 3, P.S. Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The Union Of India
2. Reserve Bank of India through the General Manager, Patna.
3. Reserve Bank of India through the General Manager, Kolkata.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Natraj Verma, Adv
For the Respondent/s	:	Mr. S.D Sanjay Addl. Soc. Gen.
For the U.O.I.	:	Mrs. Kanak Verma, CGC
For the RBI	:	Mr. Amish Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

5 24-04-2025 Heard learned counsel for the petitioner, Mr. Natraj Verma, learned counsel for the Reserve Bank of India, Mr. Amish Kumar and learned counsel appearing for the Union of India, Mrs. Kanak Verma.

2. The petitioner has filed the present writ application for issuance of an appropriate writ in the nature of mandamus directing the respondent Reserve Bank of India to accept the deposit of old/demonetized currency note amounting to Rs. 7,50,000/- from the petitioner's company and pay the equivalent amount in new currency note as the petitioner could not deposit the old/demonetized currency note within time because it was lying in police custody during the relevant period.



3. Learned counsel appearing for RBI submits that this issue has already been decided by the Hon'ble Supreme Court vide judgment dated 02.01.2023 passed in Writ Petition (c) No. 906 of 2016, reported in 2023(1) SCALE 79 and in light of the same, a subsequent order was passed by the Hon'ble Supreme Court on 21.03.2023 in the same writ petition in which it has been held and observed as follows:

“1. After the judgment(s) of the Constitution Bench passed in Writ Petition (c) No. 906/2016 etc., dated 02.01.2023, reported in 2023. (1) SCALE 79, we do not find that it will be permissible for us to exercise our jurisdiction under Article 142 of the Constitution of India to issue directions in individual cases to the Reserve Bank of India to accept the demonetized currency and exchange it with valid currency.

2. As already observed by us, in paragraphs 256 and 257 of the judgment above mentioned, though the petitioners/applicants may have a genuine grievance, in view of the upholding of the enactment, no relief can be granted by this Court.

3. However, if the petitioner(s)/applicant(s) so desire, they would be at liberty to make a representation to the Union of India to consider their individual grievances.

4. If such representations are made, the



same would be considered and decided, in accordance with law, taking into consideration the individual grievances. The same shall be done within a period of twelve weeks from the date on which the representations are made.

5. We, however, clarify that in the event, if any of the persons are aggrieved by the orders passed by the Union of India in their individual cases, they would always be at liberty to raise their respective challenges before the jurisdictional High Court.

6. These special leave petitions, transfer petitions and writ petitions are, accordingly, disposed of.

7. Pending application(s), including applications for impleadment/intervention are disposed of.”

4. In the light of the aforesaid decision of the Hon'ble Supreme Court, nothing survives in the present writ petition and hence, the same is disposed of in terms of the above judgment and order of the Hon'ble Supreme Court, giving liberty to the petitioner or its successor in interest to file a representation to the Union of India to consider its grievance. If such representation is filed, the same will be considered and decided in accordance with law taking into consideration the grievance of the petitioner. The same shall be done within a period of twelve weeks from the date of representation filed by the



petitioner.

5. It is clarified that in the event, the petitioner or its successor in interest is aggrieved by the order passed by the Union of India on its representation, the petitioner or its successor in interest would be at liberty to challenge the same in accordance with law.

6. With the above liberty granted, the present writ petition stands disposed of. All pending I.A. will also be deemed to have been disposed of.

(Alok Kumar Sinha, J)

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