

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2949 of 2017

Ritesh Kumar

... .. Petitioner

Versus

The Union Of India and Ors

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Ritesh Kumar, In-Person
For the Respondent/s	:	Mr. S.D Sanjay Addl. Soc. Gen.
For the UOI	:	Ms. Punam Kumari Singh, CGC
	:	Ms. Rinki Kumari, Advocate
For RBI	:	Mr. Rajesh Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

4 23-04-2025 Heard the petitioner Mr. Ritesh Kumar, Mr. Rajesh Ranjan, learned counsel appearing for the RBI and learned CGC Ms. Punam Kumari Singh appearing for the Finance Secretary, Union of India (respondent no.2).

2. In the present writ application, the petitioner has prayed for the following reliefs:-

(i) For commanding the respondents to accept the old denomination of Rs. 500/- notes of the petitioner amounting to Rs. 11000/- which has been left over by his mother (deceased) who died on 25.11.2016.

(ii) For further commanding the respondents to accept Rs.500/- denomination notes of the petitioner and to exchange the same with the new notes as per the demonetization policy issued



by respondents on 8.11.2016.

(iii) For grant of any other relief/reliefs for which the petitioner may be found entitled to.

3. Learned counsel appearing for the RBI submits that the issue under consideration in the present writ application 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 the Hon'ble Supreme Court subsequently passed an order on 21.03.2023 in the same writ petition observing 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 above order passed by the Hon'ble Supreme Court in Writ Petition (C) No. 906 of 2016, this Court is left with no other option than to dispose of the present writ application on similar lines and hence the present writ application is disposed of giving liberty to the petitioner to make a representation to the Finance Secretary, Union of India to consider his individual grievance which he has raised in the present writ application.

5. If such representation is filed within a week from



the date of passing of this order, the same would 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 on which the representation is filed by Mr. Ritesh Kumar. In case the decision of the Finance Secretary, Union of India go against the petitioner Mr. Ritesh Kumar, he would be at liberty to challenge the same in accordance with law.

6. With the aforesaid liberty granted, the present writ application is disposed of.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

U			
---	--	--	--

