

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14059 of 2025

M/S Nxtify Technologies Private Limited 3rd Floor, 1034A, Sri Sri Sai Arcade, 24th Main, 9th Cross, Sector- 1, HSR Layout, Bengaluru-560102, represented through its Director, Ashish Kumar, aged about 31 years, Male, S/o J.S.P. Baranwal, R/o- H.No. 138, Street No. 39, Saraswati Enclave, Gopal Nagar, Najafgarh, P.O. and P.S.- Najafgarh, District- South- West Delhi, Delhi- 110043.

... .. Petitioner

Versus

1. The Union of India through its Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. The Additional Commissioner of Customs (Preventive), 5th Floor, Central Revenue Building, Bir Chand Patel Path, Patna.
3. The Assistant Commissioner of Customs (Preventive), 5th Floor, Central Revenue Building, Bir Chand Patel Path, Patna.
4. ICICI Bank Limited, 273, 15th Cross, 20th Main, JP Nagar, 5th Phase, Bengaluru- 560078.
5. RBL Bank Limited, 135 Mig, 60ft Road, 1st Cross, KHB Colony 5th Block, Near Jyothi Nivas College Back Gate, Koramangala, Bengaluru- 560095.
6. IDFC First Bank Limited, Groung Floor, No.8/3, PID No. 49-6-8/3, Bull Temple Road, Basavangudi, Bengaluru- 560004.
7. Kotak Mahindra Bank Limited, The Pinnacle, Ground Floor, No. 8, 5th Block, Koramangala, Bangalore, Karnataka- 560095.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Prashant Singh, Advocate Mr. Ali M. Ahmad, Advocate Mr. Maarij Ahmad, Advocate Mr. Kushagra Gehlot, Advocate
For the Respondent Nos. 2&3	:	Mr. Amit Pandey, Sr. SC
For the Respondent No.4	:	Mr. Dhananjay Kashyap, Advocate
For the Respondent Nos. 1,2&3	:	Mr. Devansh Shankar Singh, Jr. SC

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

2 20-11-2025 Heard learned counsel for the petitioner through

virtual mode and learned counsel for the respondents through



physical mode.

2. Following is the relief sought for in the present writ application:-

“(i) For issuance of the writ in the nature of Mandamus directing the Respondent(s) to release/refund the amount, that was illegally debited from the Petitioner’s Bank Account maintained at the Respondent No. 4, Respondent No. 5, Respondent No. 6 and Respondent No. 7 – Bank(s) (hereinafter referred to as the ‘Impugned Action’), as prayed for in the interests of justice and equity, and;

(ii) For issuance of any other relief/reliefs which this Hon’ble Court may deem, fit and proper in the facts and circumstances of the present case and for which the Petitioners may be entitled.”

3. It has been pointed out by learned counsel for the petitioner as well as learned counsel for the respondents that an appeal has already been preferred before the competent appellate authority. The said statement has been made in Para – 8(n) & 8(r) of the writ petition.

4. Since the petitioner has already invoked the appellate remedy for the same cause of action, this Court finds no reason to entertain a parallel writ proceeding. Once a statutory appeal is pending, the proper course is to allow the authority to adjudicate the grievance in accordance with law.



5. Accordingly, the appellate authority is directed to consider and decide the petitioner's appeal preferably within a period of 6 months from the date of production of a copy of this order, after giving due opportunity of hearing to all concerned parties.

6. With the aforesaid observation and direction, the present writ application stands disposed of.

7. Pending application(s), if any, shall also stand disposed of.

(Sudhir Singh, ACJ)

(Rajesh Kumar Verma, J)

Sachin/-

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