D/L 10
24.07.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 3543 of 2025

M/s. Prantik Construction Pvt. Ltd. & Anr.
Vs.
The Reserve Bank of India & Ors.

Mr. Arkadipta Sengupta
Mr. Tirthankar Dey
Mr. Ashish Chakraborty
Ms. Ria Naskar
…for the Petitioners.

Ms. Suchismita Ghosh Chatterjee
…for the RBI.

Mr. Pijush Kanti Ray
Mr. Sourajit Mukherjee
…for the Respondent nos. 2,3&4.

Mr. Partha Pratim Roy
…for the Respondent no.6.

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1. The petitioners challenge the manner in which the banking ombudsman closed the complaint lodged by the petitioner allegedly without disposing of the same on merits.
2. The date of the complaint of the petitioners as mentioned in the prayer of the writ petition is dated 12th December, 2024. The petitioner has filed a supplementary affidavit annexing the closure report by the banking ombudsman dated 22nd January, 2025 in respect of the complaint of the petitioners dated 7th January, 2025.
3. Learned advocate representing the banking ombudsman asserts that the complaint letter dated 12th December, 2024 has been closed but the closure report has been suppressed. The complaint of the petitioners dated 7th

January, 2025 has also been suppressed and has not been annexed to the writ petition.

4. Fact remains that a complaint by the petitioners before the police alleging forgery of documents at the time of obtaining the loan is pending investigation.
5. Because of the loan granted, the petitioners is required to pay off the dues on regular basis as the personal property of the petitioner has been given in mortgage before the Indian Bank.
6. The petitioners already approached the Court by filing an earlier writ petition alleging inaction on the part of the police for not taking proper steps to dispose of the complaint lodged.
7. The Court vide order dated 6th November, 2024 passed in WPA 24267 of 2024 disposed of the same by directing the police to investigate and take the complaint of the petitioners to its logical conclusion within a reasonable period of time.
8. This Court has not been appraised with the fate of the investigation.
9. Learned advocate representing the Indian Bank submits, upon instruction that, an internal investigation was conducted to ascertain the involvement of the banking officials at the time of grant of loan. On conclusion of the investigation, no dereliction of duty on the part of the banking officials has been found.
10. Learned advocate representing the bank also apprises the Court that the police visited the bank premises and seized certain documents and articles upon issuance of a proper seizure list. The same has been placed before this Court and is retained with the records.

11. It has been brought to the notice of the Court that a securitization application is pending consideration before the learned Debts Recovery Tribunal.
12. It appears that the banking ombudsman has already closed the complaint dated 12th December, 2024 filed by the petitioners. The closure report is not before this Court. In such a situation, it is not possible for the Court to decide upon the legality of the subject closure report.
13. In view of the above, no relief can be granted to the petitioners in the instant writ petition. The writ petition fails and is hereby dismissed.
14. Dismissal of the writ petition will not stand in the way of the petitioners to approach the competent forum for redressal of its grievances in accordance with law, if so advised.
15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)