

07.05.2025
Item No. ML 140
Court no. 14
AGM

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.4813 of 2025
Sumana Bhattacharyya

-vs-

The Reserve Bank of India & Ors.

Mr. Debmalya Ghosal

Mr. S. Dutt

Mr. Arnab Dutt ...for the petitioner

Ms. Suchismita Ghosh Chatterjee

...for Reserve Bank of India

Mr. Siva Prasad Ghose.

...for the respondent no. 6.

1. The petitioner is aggrieved by the order passed by the banking ombudsman in disposing of the complaint lodged by her by merely closing the same without affording an opportunity of hearing.
2. The petitioner intends to obtain certain information in respect of a bank locker where her stridhan jewellerys are kept. According to the information of the petitioner, the locker stands in the name of her mother-in-law since deceased, father-in-law and her husband.
3. Learned advocate for the petitioner prays for passing an order directing the ombudsman to afford an opportunity of hearing in response to the complaint lodged by her.
4. Learned advocate representing the private respondents denies the allegation of the petitioner that her jewellerys are inside the locker. It has been submitted that the marriage between the parties stood dissolved long back. The petitioner is

- no way connected with the subject locker.
5. The prayer of the petitioner cannot be accepted in view of the fact that the petitioner is not the holder of the subject locker. The ombudsman is not obliged to give a hearing to a person who is not an account holder or locker holder.
 6. If the prayer of the petitioner is to be accepted, then in no time several matrimonial disputes where jewellery of one of the parties to the marriage is kept inside the locker, will land up before the bank. There may be a possibility that the aggrieved party will demand for inspection of documents of the account and/or the locker. Several such complaints may also reach up to the ombudsman.
 7. The same is not the requirement of law. Had the petitioner been an account holder or locker holder, then things would have been otherwise.
 8. There are several disputed questions of facts involved in the instant writ petition.
 9. Accordingly, the prayer of the petitioner cannot be accepted.
 10. The writ petition fails and is hereby dismissed.
 11. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

[Amrita Sinha, J]

