

**32    05.08.  
2025**

**Ct. No.  
07**

**Ab**

**WPA 11961 of 2021**

**Kejriwal Miiniing Private Limited and another  
Vs.  
The Union of India and others.**  
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**Mr. Avirup Mondal,  
Mr. Debdipta Sen.  
... for the petitioners.**

**Ms. Soni Ojha,  
Ms. Sambrita B. Chatterjee.  
... for the respondent no.5.**

**Ms. Shreyashi Maity.  
... for the respondent no. 6.**

1. Citing inaction on the part of the Ombudsman in considering the petitioners' application, the present writ petition has been preferred.
2. Mr. Avirup Mondal, learned Advocate appearing on behalf of the petitioners, submits that the petitioners, in the course of their business, were required to pay a certain amount of money to respondent No. 6 and accordingly instructed their banker, ICICI Bank, R.N. Mukherjee Branch, Kolkata, to transfer Rs. 22,00,000/- to the account of respondent No. 6.
3. He submits that the amount was mistakenly credited to an account maintained by respondent No. 7 at DBS Bank (formerly known as Lakshmi Vilas Bank), operating from premises located at 63, Nalini Ranjan Avenue, New Alipore, Kolkata. Upon immediate detection of this wrongful transfer by ICICI Bank, the petitioners requested the bank to take necessary steps to either refund the money to the petitioners, credit the amount to the

petitioners' account, or credit it to the account maintained by respondent No. 6.

4. The petitioners submitted an application to the competent authority of DBS Bank. Acknowledging the erroneous transfer, DBS Bank informed the petitioners that the amount had been put on hold. However, the Bank refused to release the amount either to the petitioners or to credit it to the account of respondent No. 6 on the ground that, unless directed by a competent Court of Law, it was not possible for them to make such a transfer. The petitioners also filed an application with the Ombudsman; however, despite receiving the application, no decision has been rendered by the Ombudsman to date.
5. Ms. Soni Ojha, learned Advocate appearing on behalf of respondent No. 5, submits that the petitioners themselves provided the account number while instructing the bank, and ICICI Bank acted accordingly by transferring the amount to DBS Bank as per the petitioners' instructions. She contends that ICICI Bank did not commit any error in this regard.
6. Ms. Shreyashi Maity, learned Advocate, entered appearance on behalf of the respondent no. 6.
7. Despite service, the respondent no. 7 is unrepresented.
8. Having considered the submissions made on behalf of the respective parties and the facts and circumstances of the case, the instant writ petition is disposed of with a direction to the Ombudsman to consider the petitioners' representation and decide the matter after affording an

opportunity of hearing to the petitioners and other interested parties. If the Ombudsman finds merit in the petitioners' claim, appropriate follow-up action shall be taken, including issuing a direction to DBS Bank to credit the said amount to the petitioners' account. Conversely, if the Ombudsman finds the petitioners' claim to be without substance, a reasoned order shall be passed and communicated to the petitioners.

9. The entire exercise shall be completed within a period of eight weeks from the date of receipt of the order.
10. Till such decision is made by the Ombudsman, the DBS Bank shall put the amount on hold.
11. There shall, however, be no order as to costs.

**(Partha Sarathi Chatterjee, J.)**