OD-4 ORDER SHEET

WPO No.513 of 2025
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

VERSATILE WIRES LIMITED & ANR.
VS
THE RESERVE BANK OF INDIA & ORS.

BEFORE
THE HON'BLE JUSTICE AMRITA SINHA
Date: 17th July, 2025.

Appearance:
Mr. Shounak Mukhopadhyay, Adv.
Ms. Sananda Ganguli, Adv.
Mr. Shubradip Roy, Adv.
For the Petitioners.

Mr. Diganta Das, Adv.
For the SBI.

1. The petitioners are aggrieved by the unilateral closure of their complaint without granting an opportunity of hearing.
2. A complaint was lodged before the Reserve Bank of India, Ombudsman on 17th April, 2025. The petitioners were communicated by the Ombudsman on 13th May, 2025 that the said complaint was examined and closed under clause 16(2) (a) of the Reserve Bank of India Ombudsman Scheme, 2021.
3. Clause 16(2) (a) of the Scheme mentions that the Ombudsman may reject a complaint at any stage if in his opinion there is no deficiency in service.
4. The Ombudsman has not given any opportunity of hearing to the petitioners prior to closure of the complaint. There is nothing on record to suggest the basis relying on which the Ombudsman did not find any deficiency in the service of the bank.

5. Learned advocate for the petitioners relies upon the judgment delivered by the Hon'ble Division Bench of this Court on 10th July, 2024 in **M.A.T 483 of 2024** with **I.A. No. CAN 1 of 2023** (***Axis Bank Limited Vs. Indian Cable Net Company Limited & Ors***.) wherein the Court, *inter alia*, held that the Ombudsman has been vested with the power to consider the complaint presented before it in terms of the 2021 Scheme and take a decision. The Ombudsman is acting as a quasi judicial authority and the principles of natural justice have also been incorporated in the Scheme.
6. The Court went on to hold that even while rejecting a complaint, the Ombudsman has to assign reasons in support of such conclusion so as to enable the aggrieved party to be aware of the factors that weighed in the mind of the judicial authority. The Ombudsman has to consider the complaint after giving a reasonable opportunity of hearing to both the parties.
7. In the instant case it appears that the complaint of the petitioners stood closed without affording any opportunity of hearing. The reason provided by the banking Ombudsman in closing the complaint of the petitioners is a cryptic one. Mere mentioning of a Section without any supporting fact or document cannot save the impugned order of the Ombudsman from the vice of arbitrariness. The same is violation of the principle of natural justice.
8. In view of the above, the closure report of the Ombudsman is set aside.
9. The banking Ombudsman is directed to re-consider the complaint of the petitioner strictly in terms of the Scheme after giving a reasonable

opportunity of hearing to all the necessary parties and by passing a reasoned order at the earliest.

10. The writ petition stands disposed of.

11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)

nm.