IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103 **CWP-28534-2019**
Date of Decision : March 03, 2025

JASMER SINGH **-PETITIONER**

V/S

PERMANENT LOK ADALAT & ORS. **-RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Malika Sobti, Advocate for
Mr. Gitish Bhardwaj, Advocate
for the petitioner.

Mr. Aalok Jagga, Advocate
for the respondents No.2 and 3.

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KULDEEP TIWARI, J. (ORAL)

1. The prayer clothed in the present writ petition appertains to setting aside the award dated 11.01.2019, wherethrough, the application preferred by the petitioner has been dismissed by the respondent No.1-Permanent Lok Adalat.

2. Succinctly stated; the petitioner moved an application before the respondent No.1, by making averments therein that, he is a customer of the respondents No.2 and 3/Bank. On 18.05.2015, the petitioner had a credit balance of ₹ 1,64,864/- and after making withdrawal of ₹ 1,00,000/- on 18.05.2015, he was left with balance of ₹ 64,865/-. Thereafter, when the petitioner went to the Bank on 19.08.2015 for making withdrawal of ₹ 45,000/-, his request was declined on account of insufficient balance and he was informed that his account has balance of only ₹ 19,563/-. The petitioner made withdrawal of ₹ 15,000/- and got his passbook updated, whereupon,

he came to know that an amount of ₹ 30,000/- was unauthorizedly withdrawn from his account by bank employee(s).

3. The application moved by the petitioner was opposed by the respondents No.2 and 3/Bank and a written statement was also filed. The principal argument made by the respondents No.2 and 3 was that, the claim made by the petitioner is solely anchored upon passbook entry(ies), which is result of a technical snag error. In fact, the claim of the petitioner becomes demolished by the statement of his account for the period 01.09.2005 to 24.09.2017, which carries all the transactions regarding debit and credit. Insofar as passbook entry is concerned, the petitioner was earlier having a manual passbook and subsequently he got a computerized passbook on 18.05.2015, which was wrongly printed due to technical snag error and this error was manually corrected in the passbook and the actual balance was shown. Moreover, the petitioner did not update his passbook after 27.11.2010 and after approx. four years, he got the entries made therein, but, the same is neither signed or certified by any bank authority.

4. The respondent No.1- Permanent Lok Adalat, after examining the record produced before it, especially the statement of account carrying the debit and credit transactions, concluded that, the statement of account enclosed entries of detailed transactions, whereas, the passbook entry(ies) has not been authenticated, hence the petitioner cannot claim that amount of ₹ 30,000/- has been unauthorizedly withdrawn.

5. The learned counsel for the petitioner has reiterated the arguments, as made before the Permanent Lok Adalat, before this Court. However, she is unable to point out any error in the statement of account

produced by the respondents No.2 and 3 before the Permanent Lok Adalat.

6. This Court has perused the impugned award and concurs with the observations recorded therein that, merely on the basis of passbook entry(ies), which was wrongly recorded on account of a technical snag error and which was not even authenticated, the petitioner cannot claim unauthorized withdrawal of ₹ 30,000/- from his account, especially when he failed to dispute the detailed credit and debit transactions recorded in the statement of account.

7. In summa, the instant writ petition is **dismissed**, being bereft of merits and the impugned award is upheld.

(KULDEEP TIWARI)
JUDGE

March 03, 2025
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No