

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Ct.551 **06.02.26**
D/L.
Item No.823
(Samar)

WPA 1722 of 2025

Sri Arunava Kaviraj

Vs

The Banking Ombudsman & Ors.

Mr.Sanjoy Chakraborty,
Ms. Kakali Dutta,

...for the petitioner.

Mr.Sirsanya Bandyopadhyay,
Mr. Santanu Mitra,
Ms. Subhabrata Das

....for the State.

Ms. Suchismita Ghosh,
Ms. Aradhita Banerjee,

.... For the respondent no. 1.

1. This writ petition has been filed principally raising two grievances. The first one is against an order dated January 16, 2025 whereby the Banking Ombudsman, Reserve Bank of India has rejected the petitioner's complaint alleging deficient's services on the part of AXIS Bank i.e. respondent no. 2. The second grievance of the petitioner is that the respondent no. 3 i.e. the Police Authorities have been lax in proceeding with MP Case No. 40 of 2024.
2. When the matter had been taken up on the earlier occasion, it was submitted on behalf of the Banking Ombudsman, Reserve Bank of India that the order closing the petitioner's complaint had been passed in view of the fact that the petitioner had not

approached the regulated entity i.e. Axis Bank with a complaint/representation against the alleged deficiency, prior to approaching the Banking Ombudsman. It was brought to the notice of the court that the petitioner had approached the court only upon getting a telephonic message about rejection of his complaint, without waiting for the detailed closure order that followed on January 22, 2025.

3. This court finds that there is no illegality in the closure of the petitioner's complaint as ordered by the Banking Ombudsman since the relevant Ombudsman's Scheme under which a complaint is to be lodged before the Ombudsman, it is mandatory for a complainant to first approach the regulated entity with a representation and to approach the Ombudsman only thereafter, if the grievance of the complainant still remains unredressed. The Banking Ombudsman's order is therefore beyond reproach in the present case.
4. Insofar as the second complaint of the petitioner in the writ petition is concerned, learned advocate appearing for the respondent state authorities has handed up to court a copy of the instructions forwarded to him by the Inspector-in-Charge, Kalyani Police Station, Ranaghat PD, Nadia and has submitted that investigation in respect of the

aforesaid MP Case No. 40 of 2024 has already been concluded and a charge-sheet vide Kalyani Police Station Charge-sheet no. 379 of 2025 dated April 30, 2025 under Sections 406/420 of the Indian Penal Code has already been filed against the *“involved absconded accused person with a prayer for issuing W/A against him”*. Copy of the instructions handed up to court are taken on record. It is therefore evident that the respondent Police Authorities have also acted in the manner they were required to. In such view of the matter no further order needs to be passed in this writ petition.

5. Accordingly, WPA 1722 of 2025 stand disposed of with the above observations. No costs.

6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities

(Om Narayan Rai , J.)