S/L 25
14.10.2026
Court. No. 25
Sourav

WPA 8873 of 2025

M/s. Xenixt Holiday & Anr.
Vs.
The Union of India & Ors.

Mr. Biswaroop Bhattacharya
Mr. Anindya Bose
Mr. Golam Mohiuddin
Mr. Raina Das
Mr. Md. Kaif Hossain

... for the petitioners.

Mr. Sukanta Ghosh

... for the Union of India.

Mr. Uday Sharma
Mr. Debabrata Das
Mr. A. Sarkar
Mr. Pratik Acharjee

... for R.B.I.

Ms. Sayani Roy Chowdhury

... for the State Bank of India.

Mr. Sunny Nandy

... for the State.

1. The petitioners have filed the present writ application praying for a direction upon the respondent Bank i.e., the State Bank of India to defreeze the account of the petitioners and allow the petitioner to operate the bank account.

2. There is a dispute with regard to two employees of the petitioner as the two employees are manipulating the account of the petitioner as the said employees were having the total details of the account of the petitioner. Accordingly, the petitioners have made a complaint against the said employees and the police have initiated an FIR.

3. In the meantime, the Bank has freezed the two accounts sometimes in the year 2024 and 2025. Since then the Bank is not allowing the petitioners to operate the said accounts.

The petitioners have made several requests to the Bank but the Bank is not allowing the petitioners to operate the bank account. Accordingly, the petitioners have filed the present writ application.

4. The petitioners have relied upon the judgment passed by this Court in the case of ***Xenixt Technologies Private Limited & Ors. Vs. Reserve Bank of India & Ors.*** passed in ***WPA 8453 of 2025*** dated May 6, 2026 and submits that in the similar circumstances, this Court directed the Bank to defreeze the account of the petitioners and to allow the petitioner to operate the bank account.

5. Learned counsel appearing for the Bank submits that in the year 2024 and 2025, the Cybercrime Authorities have informed the Bank with regard to illegal transaction in the account of the petitioners and accordingly, as per the instruction of the Cybercrime, the Bank has freezed the account of the petitioners. She submits that since the month of May, 2025, there is no correspondence made by the investigating agency or the Cybercrime authorities with regard to the account of the petitioners. The Bank has freezed the account on instruction of the Cybercrime Authorities and as such, it is not possible for the Bank to defreeze the account of the petitioners and allow the petitioners to operate the bank account.

6. This Court has enquired from the learned counsel appearing for the Bank with regard to what are the disputed amount for which the Bank has freezed the account of the petitioners but the Bank submits that there is no such disputed amount only a direction has been

received from the Cybercrime authorities due to which the Bank has freezed the account of the petitioners.

7. Considered the submission made by the learned counsel for the respective parties. Perused the materials on record.

8. This Court finds that since the year 2024, the Bank account of the petitioners has been freezed and since then the Bank is not allowing the petitioner to operate the Bank account. There is no disputed amount for which the bank has freezed the account of the petitioners. The Bank has freezed the account of the petitioners only on the basis of the complaint of the Cybercrime authorities but since May, 2025 the Cybercrime authorities have not made any correspondence with the Bank nor any order of the Court has been obtained for freezing of the account of the petitioners.

9. Considering the above, this Court finds that for the last two years the account of the petitioners has been freezed but there is no disputed amount. Only on the instruction of the Cybercrime authorities, the Bank has freezed the account of the petitioner. The Cybercrime authority has also not forwarded an order of Court for freezing of account of the petitioner. The Bank is directed to defreeze the account of the petitioners and to allow the petitioners to operate the bank account, if there is no other investigation is pending against the petitioners in respect of the said accounts.

10. **WPA 8873 of 2025** is disposed of.

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

(Krishna Rao, J.)