

24.02.2026
Item No.31
Court No.8.
S. De

F.M.A. 1065 of 2024
With
I.A. No. CAN/1/2025

Khukumani Pattanayak.
Vs
The Reserve Bank of India & Ors.

Mr. Robiul Islam,
Sk. J. Hossain, ...for the appellant.

Mr. Debabrata Das,
Mr. A. Sarkar,
Mr. Pratik Acharjee, ...for the R.B.I.

Ms. Parna Roy Choudhury,
Ms. Payel Ghosh,
...for the respondent nos.7 & 8.

Ms. Sreemayee Mitra, ...for the P.N.B.

Dictated by Arijit Banerjee, J.

1. By consent of the parties, the appeal and the connected application are taken up together for hearing.
2. This appeal is directed against a judgment and order dated May 6, 2024, whereby a learned Judge of this Court disposed of two writ petitions filed by the appellant herein, being WPA No.3967 of 2024 and WPA No. 5495 of 2024, without granting any substantive relief but granting liberty to the appellant/writ petitioner to approach the appropriate civil forum for adjudication of her claim.

3. The controversy revolves around alleged appointment of the petitioner as recovery agent by the Punjab National Bank (P.N.B.). In brief, the petitioner claimed before the learned Single Judge that although the petitioner rendered services by recovering money for NPA accounts, she has not received her commission. The petitioner made a further claim against the respondent nos. 7 and 8.
4. Both the bank and the respondent nos. 7 and 8 disputed the claim of the petitioner. The bank contended that the document dated May 23, 2022 which was heavily relied upon by the petitioner is a forged document and did not emanate from the end of the bank. The respondent nos. 7 and 8 contended that they had paid off all the dues of the petitioner who had acted as their business correspondent. Thereafter, because of some misdeeds on her part, her business correspondent code had to be blocked.
5. The learned Judge noted that there were disputed questions of fact which could not be conveniently adjudicated before a writ Court. Accordingly, the learned Judge relegated the writ petitioner to the appropriate civil forum.

6. Being aggrieved, the writ petitioner has come up by way of this appeal.
7. We have heard Mr. Islam, learned counsel appearing for the appellant/writ petitioner. We do not find any apparent infirmity in the judgment and order sought to be assailed before us. Indeed, there are disputed questions of fact involved in this case which the writ Court cannot decide. Evidence will have to be adduced by the parties to support their respective stands.
8. In view of the aforesaid, we see no reason to interfere with the judgment and order under appeal.
9. The appeal being FMA 1065 of 2024 stands disposed of along with the application being CAN 1 of 2025 affirming the judgment and order of the learned Single Judge.
10. Mr. Islam, learned advocate for the appellant says that since the appellant was pursuing her remedy before this Court, there has been some delay in the matter of filing of the suit. That delay may be condoned. We only clarify that if the appellant makes a prayer in terms of Section 14 of the Limitation Act before the civil forum, the

learned Civil Judge will consider the same, in accordance with law.

11. Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance with all the necessary formalities.

(Apurba Sinha Ray, J.)

(Arijit Banerjee, J.)