OD-13 ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/103/2026

BHAGAWATI OXYGEN LIMITED & ANR.
VS
THE RESERVE BANK OF INDIA & ORS.

BEFORE:
The Hon'ble JUSTICE KRISHNA RAO
Date: 23rd June, 2026

Mr. Shounak Mukhopadhyay, Mr. Rohan Kumar Thakur,
Advocates for the petitioners.
Ms. Suchishmita Ghosh (VC), Ms. Aradhita Banerjee, Advocates for RBI.

Mr. Shiv Mangal Singh, Advocate for Indian Bank.

1. The petitioners have filed the present writ application challenging the impugned order dated 18th February, 2026 passed by the RBI Ombudsman holding that the complaint is treated as resolved and closed under relevant clause of RB-IOS, 2021.

2. Learned Counsel for the petitioners submits that the petitioners in usual course of business and for expansion of its business availed various credit facilities from the respondent no.3 in the years 2015, 2020 and 2021. The petitioners repaid the entire loan amount along with interest and the loan accounts were closed by the respondent no.3. It is submitted that despite of the fact that the entire loan amount was repaid, the respondent no.3 withheld the title deeds and failed to issue No Due Certificate. The

petitioners have approached the respondent no.2 but the respondent no.2 has passed the order without giving any opportunity of hearing to the petitioners. Accordingly, the petitioners pray for setting aside the impugned order by directing the respondent no.2 to give an opportunity of hearing to the petitioners and after giving opportunity of hearing to pass appropriate order.

3. Learned Counsel for the Reserve Bank of India submits that there is no provision for giving a personal hearing and if the petitioners are aggrieved with the said order, the petitioners can make a fresh representation by giving the details as mentioned in the present writ application and if the petitioners file a fresh representation by providing all details of their claim against the bank, the RBI Ombudsman will take appropriate steps for deciding the issue, if any.

4. Learned Counsel for the bank submits that on the complaint of the petitioners, the bank has paid the compensation of Rs.75,000/- and the petitioners have received the said amount by way of Demand Draft. After receipt of the compensation of Rs.75,000/-, the petitioners are now claiming further amount.

5. Heard the learned Counsel for the respective parties. Perused the materials on record.

6. This Court finds that the learned Counsel for the Reserve Bank of India, in her usual fairness, submits that if the petitioners make a

proper application before the Bank Ombudsman by giving details of their claim, the Bank Ombudsman will consider the application in accordance with law and will pass appropriate order.

7. In view of the above, the petitioners are given liberty to make a fresh application before the Bank Ombudsman by giving all details in the said application. If the petitioners file any application before the Bank Ombudsman, the Bank Ombudsman will consider the application and pass appropriate order in accordance with law and by giving notice to the concerned bank. The petitioners are given liberty to file the application within a week from date and if the petitioners file the application within the period as aforesaid, the Bank Ombudsman shall dispose of the said application within four weeks from the date of receipt of the application.

8. It is made clear that although the bank has raised objection that the petitioners have already received the compensation amount of Rs.75,000/- , but it is found that the petitioners have received the said amount without prejudice to their rights and contentions.

9. The writ petition is disposed of.

(KRISHNA RAO, J.)

pa/sd