Suchitra

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.1056/2026

COMMUNIDADE OF SERULA, through its Attorney, Mr. Peter Martins having office at West Coast Residency, 1st Floor, Opposite to Bank of India Porvorim, Goa - 403521.

… PETITIONER

Versus

INDIAN OVERSEAS BANK, through its Senior Manager, Socorro - Serula (Porvorim) Branch, Porvorim, Goa - 403521.

… RESPONDENT

Mr Yogesh Nadkarni and Mr Kunal Nadkarni, Advocates for the Petitioner.

Mr I. Bassi, Advocate for the Respondent.

CORAM: **VALMIKI MENEZES & AMIT S. JAMSANDEKAR, JJ.**

DATED: **12th OCTOBER 2026**

ORAL JUDGMENT: (Per Valmiki Menezes, J.)

1. Petitioner has sought directions to the Indian Overseas Bank, the sole Respondent, to complete the formalities of bank account No.197101000000530 and to make it operational.

2. Heard Mr Yogesh Nadkarni for the Petitioner and Mr I. Bassi for the Respondent Bank.

3. Rule. Rule is made returnable forthwith at the request of and with the consent of the learned counsel for the parties.

4. Ten accounts of the Petitioner were frozen, in various banks pursuant to an FIR being lodged with the Crime Branch of the Goa Police; pursuant to the investigation, the Petitioner filed Criminal Writ Petition No.77/2016, seeking de-freezing of its ten accounts in various banks. This Court, by Judgment and Order dated 20.07.2017 directed de-freezing of all accounts except one account which bears No.197101000000970 in the Indian Overseas Bank, Socorro Branch, Porvorim, Goa. Resultantly, all the nine bank accounts of the Petitioner in various banks including with the Respondent Bank were required to be de-frozen and made operational pursuant to the directions of this Court. However, till date despite communications from the investigating officers to the Respondent Bank, the Petitioner's bank account No.197101000000530 has still not been operationalized.

5. We had issued notice to the Respondent who was served in the matter and put in appearance on 16.09.2026. Time was sought by the Advocate for the Respondent Bank and the matter was adjourned to 29.09.2026 when none appeared for the Respondent Bank. Today, once again, the learned Advocate for the Respondent Bank seeks an adjournment to take instructions in the matter.

6. Considering that the matter has been now pending before us for past two months without any progress from the

Respondent Bank on the issue, we have proceeded to examine the Petitioner's case and dispose of the Petition.

7. On going through the Judgment of this Court dated 20.07.2017, we find that there are clear directions to all banks in which Petitioner's accounts were held, to de-freeze its accounts and these include the specific account bearing No.197101000000530. Even the account of the Petitioner bearing No.197101000000970 in the Respondent Bank was required to be operationalized way back back in the year 2017. Short of holding that the officers of the Respondent Bank are in contempt of the directions of this Court issued vide Judgment and Order dated 20.07.2017, we find no reason, on going through the said Judgment and the averments made in the Petition, not to allow the Petition.

8. Consequently, we direct the Branch Manager of the Respondent Bank i.e. the Indian Overseas Bank, Socorro Branch, Porvorim, Goa to operationalize the account No.197101000000530 within 48 hours of the passing of this Order. We are told that the KYC documents of the Petitioner have been submitted to the Bank way back in July 2026 and no action has been taken thereon.

9. Rule is made absolute in terms of prayer clause (a) to the Petition which has to be complied within 48 hours of passing of this Order. The Branch Manager shall file a report of compliance before the Registrar (Admin) of this Court on 21.10.2026.

10. The Writ Petition is disposed of in the aforesaid terms. No costs.

AMIT S. JAMSANDEKAR, J. **VALMIKI MENEZES, J.**

Signed by: SUCHITRA NANDAN SINGBAL
Designation: Personal Assistant
Date: 13/10/2026 10:49:06