



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO. 2661 OF 2026

Eliza Ajij Gilani

vs.

The Banking Ombudsman and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Vijay Hamand, Advocate for petitioner.

CORAM :- ANIL S. KILOR and RAJ D. WAKODE, JJ.

DATE :- 2nd APRIL, 2026.

Heard Mr. Vijay Hamand, the learned counsel for the petitioner.

2. The petitioner seeks challenge to the impugned order dated 19.02.2026 (19.01.2026) passed by the Ombudsman thereby informing the petitioner that the complaint lodged by him has been rejected. The relevant findings of the Ombudsman in para 2 thereby deciding the aforesaid complaint are as under:

“The Ombudsman upon enquiry and obtaining Bank’s report has recorded a specific finding that the disputed transaction was carried out using the Samsung Pay in a tokenised mode and that OTP for provisioning/tokenisation was sent and delivered to the registered mobile number of the petitioner prior to the disputed transaction. Further it is observed that the transaction was completed after pin authentication and the interim credit provided during investigation was reversed after completion of verification. On said finding regarding the issuance of the OTP on the registered mobile number of the petitioner, and on completion of such transaction after PIN authentication, the Ombudsman has rejected the complaint of the petitioner.”

3. Shri Hamand, the learned counsel for the petitioner disputes the said findings and submits that no OTP was received on the registered

mobile number of the petitioner and as such, there was no PIN authentication and the transaction was fraudulent one without there being any involvement of the petitioner.

4. However, such facts are disputed question of facts and the same will have to be proved by the petitioner before the competent Civil Court.

5. In view of above, we dismiss the present writ petition. No costs.

6. Needless to mention that the grounds raised in the present writ petition are kept open which the petitioner can particularly prove by leading evidence before the learned Civil Court.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Andurkar.