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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 877/2026

GANDHARV KUMAR JHA .....Petitioner

Through: Mr. Rajiv Kapur Adv.Mr. GK Jha, Adv.

versus

OMBUDSMAN RESERVE BANK OF INDIA & ORS.

.....Respondents

Through: Adv Mr Dhaval Mehrotra, Adv Ms Aditi Desai for R1
Mr. Rajiv Kapur Advocate for SBI Card

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **21.01.2026**

1. This is a writ petition filed under Articles 226 and 227 of the Constitution of India seeking the following prayers:-

> *"i. For the issuance of a writ in the nature of certiorari quashing the mechanical and arbitrary order dated 31.03.2025 (Annexure P-1) passed by the Respondent No.1 and;*
>
> *ii.For issuance of writ in the nature of mandamus directing the respondent no. 1 to conduct thorough investigation and to take appropriate action against respondent no.2 and;*
>
> *iii.Further prayer to issue direction to the respondent no.2 to compensate for causing mental harassment to the petitioner and his families, for defaming petitioner before his family and in-laws and;"*

2. Mr. Jha, learned counsel for the petitioner, states that the agents of the respondent No.2 have harassed the petitioner and his family members for payment of credit card dues. He further states that all the dues have been cleared by the petitioner.

3. For the said reasons, issue notice.

4. Mr. Mehrotra, learned counsel accepts notice on behalf of the respondent No. 1. Mr. Kapur learned counsel accepts notice on behalf of the respondent No. 2.

5. The impugned order dated 31.03.2025 of the respondent No.1 is extracted below:-

The Office of RBI Ombudsman

Reserve Bank of India

RBI/CMS/N202425016022970/2024-25 Date: 31-03-2025

Gandharv Kumar Jha

TF02, Tower 9C, Bisrakh

GAUTAM BUDDHA NAGAR,UTTAR PRADESH

201306

gandharvjha77@gmail.com

Madam/Dear Sir(s),

Closure of your complaint dated 04-02-2025 against SBI Cards & Payment Services Ltd. regarding Credit Card: Ref. No. RB-IOS-N202425016022970

Please refer to your captioned complaint filed with our office. We have carefully examined the captioned complaint and our observations are given here under.

2. The RE has submitted that they have investigated and established that normal payment follow up was done as per the process. Further, shared numbers do not pertain to them. Customer has shared some call recordings wherein, the RE has established that the call recording does not pertain to SBI card. Further all calls were attempted on system updated numbers wherein no misbehavior, harassment and threatening identified with customer or third party . Customer was advised to remit the payment towards the pending dues to avoid any accrual of charges. Recently, the customer has cleared all pending on his SBI card account. The RE has apprised the complainant of the above vide email dated 26.02.2025. In view of the same, the complaint is treated as closed under the clause given below. Please note that the proceedings before the Ombudsman are summary in nature.

3. In view of the above, we have closed your complaint under Clause 16(2)(a) of the Reserve Bank - Integrated Ombudsman Scheme, 2021 (RB-IOS), which stipulates the following:

“ "The Ombudsman may reject a complaint at any stage if in his opinion there is no deficiency in service."

4. This is issued with the approval of the RBI Ombudsman.

5. We request you to provide feedback for the above disposal on https://cms.rbi.org.in.

6. Please note that the complaints closed under Clause **16(2)(a)** of the Scheme are non-appealable under the provisions of the RB-IOS. Should you require any further information or clarification, please feel free to contact our staff on Toll-Free Number: 14448 (Monday to Saturday except National Holidays, between 8:00 AM - 10:00 PM).

Regards.

The Office of RBI Ombudsman

Reserve Bank of India

6. A perusal of the said impugned order shows that the respondent No.1 has merely gone on the statements of the respondent No.2 and has not conducted any independent investigation or called the parties and taken their comments. The very purpose of the Ombudsman Reserve Bank of India seems to be defeated.

7. Ms. Desai, learned counsel for the respondent No.1 very fairly states that the respondent No.1 shall conduct the detailed inquiry and pass a speaking order.

8. If required, the respondent No.1 will call the petitioner and after hearing him, will pass a speaking order.

9. Taking Ms. Desai, learned counsel for the respondent No.1's statement on record, the petition is disposed of.

10. The impugned order dated 31.03.2025 of the respondent No.1 is hereby set aside.

JASMEET SINGH, J

JANUARY 21, 2026 / (MS)