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

\+ W.P.(C) 9988/2024

MEHRAJ ALAM

.....Petitioner

Through: Mr. Kapil Sankhla, Ms. Richa Sharma and Mr. Saurabh Gangwar, Advs.

versus

SBI CARDS AND PAYMENT SERVICES LTD. & ORS.

.....Respondent

Through: Mr. Abhinav Sharma Adv, Mr. Dipan Sethi Adv. Mr. Snehashish Bhattacharya Adv for R2-3

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

<u>O R D E R</u>

% **07.05.2026**

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

> *"a. Issue a WRIT of Certiorari or any other appropriate WRIT, order, or direction in the nature thereof, setting aside the order dated 24.06.2024 of Respondent No. 3, which declared the complaint of the Petitioner dated 04.05.2024 as non-maintainable;*
>
> *b. Direct Respondent No. 1 to implement and comply with RBI Circular No. RBI/ 2017-18/ 15 DBR. No. Leg. BC. 78/09.07.005/2017-18 dated 06.07.2017;*
>
> *c. Declare that Respondent No. 1 was deficient in providing banking services to the Petitioner and consequently direct*

Respondent No. 1 to reverse the total amount of Rs. 1,32,956.22/- paid by the Petitioner to Respondent No. 1, along with interest at the rate of 24% per annum from the date of payment by the Petitioner;

d. Direct Respondent No. 1 to devise and implement robust security mechanisms to safeguard the interests of customers and to prevent unauthorized payments through stolen/lost cards;

e. Direct Respondent No. 1 to compensate the Petitioner to the tune of Rs. 50,000/- towards litigation costs, mental harassment, and agony suffered by the Petitioner due to the illegal acts and omissions of Respondent No. 1;

f. Direct Respondent No. 3 to compensate the Petitioner to the tune of Rs. 25,000/- towards litigation costs, mental harassment, and agony suffered by the Petitioner due to the illegal acts of Respondent No. 3;

g. Direct Respondent No. 2 to ensure the effective implementation of its circulars/guidelines by the entities regulated by Respondent No. 2; . . ."

2. The brief facts of the case are that the petitioner is that the petitioner is a diligent and *bona fide* customer of the respondent No. 1 and has availed the facilities of an SBI Credit Card issued by the respondent No. 1 since September, 2020.

3. On 31.03.2024, the petitioner's wallet was stolen around 2:55 p.m. (local time in Paris) and at that time, the petitioner was carrying Kotak Mahindra Credit Card, one Forex Card and one SBI Credit Card with

some other documents and petty cash.

4. The petitioner, immediately on realising that his wallet has been stolen, started blocking all his cards, but in the meantime, two transactions were conducted using the petitioner's SBI Credit Card to the tune of Rs. 1,17,662.78/-.
5. The petitioner immediately blocked his SBI Credit Card and lodged a complaint with the local police at Paris.
6. Since the respondent No. 1 refused to reverse the Credit Card transaction, the petitioner approached the respondent No. 3 and filed a complaint against the said refusal, which was consequently dismissed and closed for being non-maintainable on 24.06.2024. Hence, the present petition.
7. Mr. Sharma, learned counsel for the respondent Nos. 2 and 3, very fairly states that the respondent Nos. 2 and 3 are ready to reconsider the complaint of the petitioner. The said respondents will grant the petitioner a personal hearing and thereafter will pass a speaking order.
8. For the said reasons, the order dated 24.06.2024 is hereby set aside, and the respondent Nos. 2 and 3 are directed to reconsider the complaint of the petitioner, afford a personal hearing to the petitioner and thereafter pass a speaking order. The entire exercise shall be completed expeditiously and not later than 8 weeks from today.
9. The petition is allowed and disposed of the in the aforesaid terms.

JASMEET SINGH, J

MAY 7, 2026 / (MS