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

\+ W.P.(C) 1461/2025 & CM APPL. 7094-7096/2025

HAMDARD EDUCATION SOCIETY & ANR. .....Petitioner

Through: Mr. Maninder Singh, Sr. Advoate with Mr. Sanket Sikri, Mr. Vikalp Mudgal, Mr. Naman Joshi, Mr. Rahul, Ms. Ritika Vohra, Mr. Amber Tickoo, Mr. Ankur Yadav, Mr. Priyansh Chaudhary, Advocates.

versus

PUNJAB NATIONAL BANK & ANR. .....Respondent

Through: Ms. Malvika Trivedi, Sr. Advocate with Dr. Swaroop George, Mr. Mobashishir Sarwar, Mr. Abhinandan Jain, Ms. Jahanvi Bhardwaj, Ms. Shailender S, Advocates along with Mr. Takrin Ahsan Khan, Law Officer.

Mr. Ankur Chhibber, Advocate for R-2.

Mr. Sudhir Nandrajog, Sr. Advocate with Ms. Ankita Singh, Mr. Uday Pratap Singh, Mr. Shreyans Singhvi, Ms. Akanksha Agrawal and Ms, Taniya Singh, Advocates for intervener.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

O R D E R

% 06.02.2025

1. Petitioners are aggrieved by the manner in which their bank accounts have been freezed by respondent No. 1 Bank (Punjab National Bank), which action is, allegedly, at the behest of respondent No. 2 (Jamia Hamdard, a deemed University).

2. Petitioner No.1 is Hamdard Education Society (HES) and petitioner

No. 2 is Hamdard Institute of Medical Sciences and Research (HIMSR).

3. Petitioner No.2 (HIMSR) is having a bank account No. 0127002100093391 with respondent No. 1 Bank.

4. According to petitioners, the Bank had sent communication through email on 28.01.2025. In such email, the bank, itself, observed that as per the available record, HES/HIMSR had been fulfilling all KYC norms. Despite that, without any justifiable reason, in the same communication, it stated freezing of account, while referring to an order of *Banking Ombudsman*.

5. Mr. Maninder Singh, learned Senior Counsel for petitioners submits that even if the Bank was to apply the above said order of Ombudsman, there was no reason to have freezed the account as the bank has itself, categorically, observed that the account was fully complied from KYC angle.

6. This Court has carefully gone through the communication sent by the concerned Bank on 28.01.2025 and such communication itself records that *as per the available record, the petitioners had been fulfilling all KYC norms upto the satisfaction of the Bank and that there was no reason to freeze the account unless and until there was any order in this regard from any governmental Authority or any Court.*

7. Mere fact that a writ petition is pending adjudication before this Court, would not mean that the Bank can freeze the account in the manner it has been done, despite the fact that it was found to be KYC-compliant.

8. Learned counsel for respondents appear on advance notice and submits that the petition is not maintainable. It is also contended that the petitioner has a remedy to approach Ombudsman, instead of straightaway filing a writ petition. It has also been agitated by interveners that the petition

has been filed at behest of a person, who is no longer the present Dean/Principal of HIMSR and, therefore, the petition is liable to be rejected outrightly.

9. Mr. Maninder Singh, learned Senior Counsel for the petitioners, on instructions, submits that the petitioners are running not only a medical college but also a hospital and the freezing of the bank account would hamper day-to-day functioning of these institutions, particularly in relation to their hospital. It is apprehended that it may also seriously jeopardize the treatment of patients and may also become a stumbling block with respect to salary disbursement.

10. Though, learned counsel for respondent No. 2 submits that they would take care of every need of such kind but this Court feels that since the account is already stated to be KYC-compliant, there was no reason for the Bank to have freezed the account, without hearing them. It could not have been done merely on the premise that some litigation was pending.

11. Let a short affidavit be filed by both the respondents within two days with advance copy to the other side.

12. If anyone feels that, being necessary party, it should also be impleaded in the present matter, this Court expects that application, in this regard, shall be moved, well in advance with advance copy to the opposite side.

13. List on 10.02.2025 for the further consideration.

14. In the meanwhile, respondent No. 1 Bank shall permit the petitioners to operate the above said bank account. However, this interim relief shall be subject to condition that petitioners shall keep complete record of the transactions carried out by them, in the interregnum.

15. It is clarified that such order is without prejudice to the rights and contentions of respondent No.2 and no special equity shall flow in favour of the petitioners either.

16. The matter be shown in supplementary list.

MANOJ JAIN, J

FEBRUARY 6, 2025/*sw*