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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5809/2020 & CM APPLs. 21017/2020, 4403/2021,
4404/2021

VALUE LINE INTERIORS PRIVATE LIMITED Petitioner

Through: Mr. Namit Suri and Ms. Purnima
Singh, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Mr. Ramesh Babu MR, Ms. Manisha
Singh and Ms. Sanya Panjwani,
Advocates for R-2.
Mr. S.K. Rout, Mr. Abhishek
Chakraborty and Ms. Kasturi Samar,
Advocates for R-3.
Mr. Neeraj Yadav and Mr. Ashwini
Chawla, Advocates for Yes Bank
Ltd./R-4 with Navin Trivedi, Group
Executive Vice President and Mr.
Pradeep K. Prajapati, OSD.
Mr. Prashant Choudhary, Advocate
for R-5 & 6

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
23.11.2022

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1. Facts of the present matter were succinctly noted in order dated 18th
April, 2022, as under:

*"1. The petitioner has approached this Court being aggrieved by the
action of respondent no.4 in returning two cheques dated 20.02.2020*



which were deposited by the petitioner with its banker/respondent no.3 on 18.05.2020 and were presented for clearance to the respondent no.4 on 19.05.2020 but have been returned with remarks "Instruments Outdated".

2. It is the petitioner's case that the action of respondent no.4 in returning the cheques on 20.05.2020 on the ground of being out dated is not only in gross violation of the circular issued by the Reserve Bank of India (RBI)/respondent no.2 but also mala fide."

2. Counsel for Respondent No. 4-Bank, states that cheques in question, were received after 08:30 PM on 19th May, 2020 by when the window stipulated by National Payments Corporation of India [hereinafter "**NPCI**"] for uploading of cheques was closed and therefore, said cheques could not have been uploaded before 06:30 AM on the next working day i.e., 20th May, 2020, once the window re-opened.
3. The above averments do not find mention in the counter affidavit filed by Respondent No. 4-Bank.
4. Accordingly, Respondent No. 4-Bank is directed to file an affidavit confirming the above facts disclosed during the course of the hearing.
5. Re-notify on 20th February, 2023.

SANJEEV NARULA, J

NOVEMBER 23, 2022

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