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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/3801/2022

CHANDRA KANTA KALITA AND ANR
S/O- LATE PRITHURAM KALITA, AGED ABOUT 75 YEARS, RETIRED
GOVERNMENT SERVICE, R/O- NAHARANI PATH, BYE LANE-I, H/NO. 2,
BANFULNAGAR, P.S. HATIGAON, DIST. KAMRUP(M).

2: SMT. BHARATI KALITA
W/O- CHANDRA KANTA KALITA
AGED ABOUT 64 YEARS
R/O- NAHARANI PATH
BYE LANE-I
H/NO. 2
BANFULNAGAR
P.S. HATIGAON
DIST. KAMRUP(M)

VERSUS

THE RESERVE BANK OF INDIA AND 5 ORS
REPRESENTED BY THE GOVERNOR, RESERVE BANK OF INDIA, 18TH
FLOOR, CENTRAL OFFICE BUILDING, SHAHID BHAGAT SINGH ROAD,
MUMBAI-400001.

2:THE REGIONAL DIRECTOR

RESERVE BANK OF INDIA
PANBAZAR
STATION ROAD
GUWAHATI
DIST. KAMRUP METRO
ASSAM
PIN- 781001.

3:SHRI THOTNGAM JAMANG
BANKING OMBUDSMAN

RESERVE BANK OF INDIA
GUWAHATI (UNDER BANKING OMBUDSMAN SCHEME
2006)
C/O- RESERVE BANK OF INDIA
STATION ROAD
PANBAZAR
GUWAHATI-781001.

4:STATE BANK OF INDIA
SBI PERSONALIZED BANKING BRANCH (PBB)
GANESHGURI
REPRESENTED BY ITS CHIEF MANAGER
METRO SWAGOTA SQUARE
3RD FLOOR
ABC POINT
G.S. ROAD
BHANGAGARH
GUWAHATI
KAMRUP
ASSAM
PIN- 781005
REPRESENTED BY ITS MANAGER.

5:THE ASSISTANT GENERAL MANAGER
DIGITAL AND INTERNET BANKING
STATE BANK OF INDIA
LHO
GUWAHATI
ASSAM
G.S. ROAD
DISPUR
GUWAHATI-781005.

6:THE DEPUTY COMMISSIONER OF POLICE (CRIME)
GUWAHATI POLICE COMMISSIONERATE
OFFICE OF THE DEPUTY COMMISSIONER OF POLICE (CRIME)
CRIME BRANCH
POLICE COMMISSIONERATE
GUWAHATI
DANISH ROAD
PANBAZAR
GUWAHATI-781001

For the Petitioner(s) : Mr. H. Gupta, Advocate
For the Respondent(s) : Mr. N. Goswami, Govt. Advocate
Mr. P. Hazarika, Advocate
Mr. K. Das, Advocate

**BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH**

ORDER

Date : 06.08.2026

Mr. P. Hazarika, the learned counsel appearing on behalf of the Reserve Bank of India has placed before this Court a set of instructions dated 05.02.2024 along with various documents.

2. It is the opinion of this Court that the said documents be also served upon Mr. H. Gupta, the learned counsel for the petitioners so that he may go through the same.

3. The issue involved in the instant proceedings is whether the petitioners informed the Bank on 02.06.2021 and also raised a complaint through phone banking on 01.06.2021.

4. Mr. H. Gupta, the learned counsel for the petitioners referring to the SMS DLR report from 01.06.2021 to 01.06.2021 submitted that the petitioner No. 1 upon coming to know of the various transactions had made a complaint through phone banking on 01.06.2021 at around 19:53 hours, on the basis of

which Complaint No. 54973224 was registered. However, in the meantime, as the phone number of the petitioner No. 1 had been changed, the message was delivered to the phone number of the fraudster.

5. Taking into account the above, this Court directs Mr. K. Das, the learned counsel appearing on behalf of the State Bank of India to obtain instructions on that aspect.

6. During the course of the hearing, it has also been informed to this Court that the petitioner No. 1 has expired and is survived by the petitioner No. 2 as well as the other legal heirs.

7. It is the opinion of this Court that the petitioner No. 2 would be well advised to file an appropriate application for substitution of the other legal heirs of the petitioner No. 1.

8. List this matter again upon filing of the substitution application.

JUDGE

Comparing Assistant