

GAHC010250662018



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

Case No. : WP(C)/7750/2018

CHUMI GOSWAMI
W/O- LT ANIL GOSWAMI, R/O- H.NO.9, NAHARANI GRANT, P.S.
TANGAPARA,, TEZPUR, DIST- SONITPUR, ASSAM

VERSUS

STATE BANK OF INDIA AND 4 ORS.
REP. BY ITS CHAIRMAN, 1819, DEVDAS KAMLOG BLOCK, SYNERGY
BUILDING, BANDRA KURLA COMPLEX BANDRA EAST, MUMBAI- 400051

2:THE GENERAL MANAGER
SBI
GUWAHATI
G.S.ROAD
OPP. ASSAM SACHIVALAYA
DISPUR
GHY-6

3:THE BRANCH MANAGER
SBI RANGAPARA BRANCH NO. 2 RANGAPARA
DIST- SONITPUR
ASSAM
PIN- 784505

4:SBI LIFE INSURANCE
REP. BY ASSOCIATE VICE PRESIDENT GROUP OPERATIONS (PMJJBY) SBI
LIFE INSURANCE COMPANY LTD. 7TH LEVEL SBI LIFE INSURANCE
COMPANY LTD..
7TH LEVEL DWINAS AND 8TH LEVEL SEAWOODS
GROUND CENTRE
TOWER- 2

PLOT NO. R-1
SECTOR 40
SEAWOODS NERUL NODE
DIST- THANE
NAVI MUMBAI- 400706

5:NATIONAL INSURANCE COMPANY LTD.
3
MIDDLETON STREET
PRAFULLA CHANDRA SEN SARANI
KOLKATA
WEST BENGAL- 70007

Advocate for the Petitioner : MR. S C BISWAS, MR. F A HASSAN,MS A DAS,MR.
RAJARSHEE DE

Advocate for the Respondent : MR. R GOSWAMI (R5), DR. B N GOGOI (R1-R3),MS. M SAIKIA
(R5),MS. P BORTHAKUR (R5),MR H BURAGOHAIN (R4),MS L SHARMA (R4),MR S S
SHARMA (R4),MR. R GOSWAMI (R- 5)

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 12.08.2024

Mr. B.N. Gogoi, learned Standing counsel appearing for the SBI authorities submits that the instructions in the matter as to how the code of the petitioner account was changed from 1411 to 1431 without KYC documents is yet to be received by him and he undertakes that the said instruction would be furnished to him by the respondents before 16.08.2024 and accordingly, prays that the matter be taken up on 16.08.2024, on which, he would furnish the said information before this Court.

It is to be noted in the present proceedings the stand of the respondent Bank is that, as the KYC of the account of the petitioner was not completed/updated, the same was kept in abeyance and no transaction being permissible thereon, the debits towards the premiums against the Insurance Policies involved could not be made from the said account of the petitioner and consequently the said Insurance policies lapsed. However, from the circular dated 20.12.2016, it is seen that the code of the account of the petitioner from 1411 to 1431 can only be changed after the KYC documents are placed on record by the account holder.

In that view of the matter, the code of the petitioner's account having been changed from 1411 to 1431, the plea now taken by the respondents about the absence of KYC documents of the petitioner becomes doubtful and that is the specific instruction that is required to be received by Mr. B.N. Gogoi, when the matter was taken up for consideration today.

As prayed for, list this matter on 16.08.2024.

JUDGE

Comparing Assistant