

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1568 of 2025**

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M/S DEV ENTERPRISE**Versus****RESERVE BANK OF INDIA & ORS.**

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Appearance:**MR PRUTHVIRAJ Y GOHIL(13166) for the Petitioner(s) No. 1****MR AMAR N BHATT(160) for the Respondent(s) No. 1****Ms. HIMANI KINI(7489) for the Respondent(s) No. 2****NOTICE SERVED for the Respondent(s) No. 3,4****NOTICE THROUGH SPEED POST SERVED for the Respondent(s) No. 5****NOTICE UNSERVED for the Respondent(s) No. 6****VINAY D BAIRAGRA(8360) for the Respondent(s) No. 2**

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**Date : 20/11/2025****ORAL ORDER**

1. Heard learned counsel for the petitioner as well as learned counsel for respondent no.2.
2. It is submitted that though respondent nos.3 to 6 have been served, they have chosen not to appear. None appears on their behalf.
3. It is submitted by learned counsel for the petitioner that the petitioner is engaged in the business of wholesale trade of agricultural raw materials pursuant to that the petitioner maintains current account no.472538401197983 with the respondent no.2-Bank. It is submitted that the said current account of the petitioner has been debit freezed in consequence of some complaints instituted with the respondent nos.3 to 6 of which the petitioner has no knowledge. It is submitted that the respondent no.2, upon instructions of such Investigating Agencies has freezed the current account of the petitioner, whereby the petitioner is not able to operate the said account. He submits that the amount of suspicious

transaction done in the current account of the petitioner amounts to Rs.1,27,289/-. He submits that the petitioner has a ledger balance of Rs.13,22,156/-. He submits that the money of the petitioner is frozen and has hampered the business of the petitioner. He submits that the petitioner is ready and willing to freeze the amount, which has been intimated by the Investigating Agencies to respondent no.2-Bank. He submits that the rest of the money, which belongs to the petitioner, may be de-frozen and the petitioner may be permitted to use the same, which is his own money. He submits that the amount of Rs.1,27,289/- shall be retained as a lien amount in his account till the resolution of the complaints or till any further communication is received by the Bank in that regard. He submits that the petitioner therefore may be permitted to operate current account excluding the said lien amount.

4. Though served, none of the respondents no.3 to 6 have appeared or entered appearance through advocate.

5. Learned counsel Mr.Vinay D Bairagra for respondent no.2-Bank submits that the current account of the petitioner came to be frozen on instructions of respondent nos.3 to 6. He submits that the communication received by the Bank indicates that the suspicious amount of Rs.1,27,289/- has been transferred to the current account of the petitioner and therefore, the complete account of the petitioner has been frozen. He submits that appropriate orders may be passed.

6. Considering the submissions and taking into consideration the amount that the petitioner has till date has not received any notice in respect of any criminal complaint from the Investigating Agencies i.e. respondent nos.3 to 6 and further, the respondent no.2 has frozen the

current account of the petitioner on the basis of the instructions of the respondent nos.3 to 6 for the amount of Rs.13,22,156 in total, this Court deems it fit to direct that the current account of the petitioner shall be de-freezed. Respondent no.2-Bank shall mark a lien on the amount of Rs.1,27,289/- as indicated by the respondent nos.3 to 6 and the said amount shall be dealt with by respondent no.2-Bank only upon further instructions from respondent nos.3 to 6. Excluding the said amount, petitioner shall be at liberty to operate his current account for the rest of the amount, which is not in dispute.

7. With the aforesaid direction, the present petition stands disposed of. No order as to costs.

Sd/-
(ANIRUDDHA P. MAYEE, J.)

ABHISHEK/183

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ABHISHEK DASHRATHBHAI PRAJAPATI(HC01389), GOV, at High Court of Gujarat on 21/11/2025 18:03:09