



647-2018



2026:BHC-NAG:6194-DB

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 647 OF 2018

(Shri Girish Rameshchandra Malani Vs. Reserve Bank of India & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. C.N. Deshpande, Counsel for the petitioner.
Mr. R.M. Bhangde, Counsel for respondent no.1.
Mr. A.J. Gilda, Counsel for respondent no.2.
Mr. S.S. Hulke, A.G.P. for respondent no.3/State.

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CORAM : ANIL L. PANSARE AND
NIVEDITA P MEHTA, JJ.
APRIL 1, 2026

A poor petitioner is before the Court having been not assisted by the respondent Agencies in the matter and is left with no other alternative, but to approach this Court to seek redressal of his grievance, which, in a way, is a creation of the hostile treatment given to him by the respondents.

2] The facts leading to this situation are as under :

3] On 1/12/2016, the petitioner was travelling for Mahur for visiting Renuka Devi Mandir. He was carrying Rs.2,00,000/- in cash consisting of Rs.500/- denomination notes. The vehicle was intercepted by a team deputed by a Returning Officer for the elections of Municipal Council at Keroli Naka. The amount was seized by the team/ Police Officials of Mahur Police Station. The Police Officials informed the seizure to the Income Tax Department vide letter dated 1/12/2026. In response, the



Income Tax Department informed the Returning Officer/ Police Officials that the amount is not required for further action. Accordingly, on 31/12/2016, the Returning Officer/Police Officials have returned the amount back to the petitioner.

4] The Counsel for the petitioner submits that he approached the Reserve Bank of India (RBI), Nagpur – respondent no.1, relying on the newspaper reports and public pronouncements by the Government of India that cash, which is seized by Law Enforcement Agencies, will be accepted by RBI till 31/3/2016. He approached the RBI, Nagpur, in January – 2017, who refused to accept the amount. Thereafter, the petitioner made a communication dated 16/3/2017 and 27/4/2017 requesting the RBI, Nagpur, to accept the amount. However, he received an e-mail from the RBI, Mumbai, on 6/6/2017 saying that in terms of the Notification dated 12/5/2017 issued by the Government of India, Ministry of Finance, if the amount is seized by the Law Enforcement Agency, it will be accepted at the Centers of RBI in various cities. Accordingly, the petitioner was directed to approach the concerned RBI. The Counsel for the petitioner submits that he approached the RBI, Nagpur, who refused to accept the amount, and accordingly, the petitioner is before the Court.

5] Thus, it appears that the Notification under question was published on 12/5/2017. In that sense, there was no guidelines available in public domain or otherwise as to the procedure to be adopted, either by



persons, like the petitioner, or by the Law Enforcement Agencies. As such, by the aforesaid Notification, the Law Enforcement Agencies were directed to deposit the amount, so seized, with the RBI on or before 31/12/2016, however, these guidelines were not available at that time. Therefore, the Law Enforcement Agency was not aware of steps to be taken in such cases.

6] Thus, it appears that neither the petitioner nor the Law Enforcement Agency is responsible for the situation that arose in the intervening period. In such circumstances, it was the duty of respondent no.1 to extend necessary assistance to the petitioner, which it has failed to extend. The Counsel for respondent no.1 seeks time to file reply.

7] We grant time with the hope that in the meantime, corrective steps will be taken, failing which, we may direct respondent no.1 to suitably compensate the petitioner.

8] List on 16/4/2026.

(JUDGE)

(JUDGE)

Sumit