

(1996) 01 NCDRC CK 0061

In the National Consumer Disputes Redressal Commission

CANARA BANK

APPELLANT

Vs

G.ANNAJI RAO

RESPONDENT

Date of Decision : 03-01-1996

Acts Referred:

Citation : 1996 1 CLT 525 : 1996 1 CPR 21 : 1996 3 CPJ 50

Hon'ble Judges : V.Balakrishna Eradi , B.S.Yadav , S.S.Chadha ,
R.Thamarajakshi J.

Final Decision : Revision petition disposed of

Judgement

1. THIS Revision Petition has arisen out of the Order dated 13.10.1994 of the Andhra Pradesh State Commission at Hyderabad confirming the order of the District Forum, Khammam directing the Canara Bank petitioner herein to return the gold ornaments along with damages assessed at Rs. 500/-. The State Commission, however reduced the damages from Rs. 500 to Rs. 250/-.

2. THE Counsel for the petitioner herein states that the impugned orders have been complied with and he does not seek any restitution but seeks a pronouncement on the general lien of the Bank under the terms of the contract as well as in law. This Commission has already expressed view in several cases that the clause between the parties which entitled the Bank to retain the ornaments deposited by the constituents with the Bank as security in respect of any advance owing to the Bank in any of constituents' accounts whether severally or jointly with others and whether as principal debtor or surety is binding on the constituent. THE Bank is also entitled to retain the ornaments as security under the General Law of Banker's Lien. THE Revision Petition is disposed of with no order as to costs. Revision petition disposed of.
