(2017) 06 NCDRC CK 0023

In the National Consumer Disputes Redressal Commission

Case No : 1478 of 2017

RAJ KUMAR SINGH APPELLANT

Vs

PUNJAB NATIONAL BANK & ORS. RESPONDENT

Date of Decision : 15-06-2017

Acts Referred:

Consumer Protection Act, 1986, Section 21 - Jurisdiction of the National Commission

Citation : 2017 3 CPR 190

Hon'ble Judges : B.C. Gupta

Advocate : Jayender Singh, Yashvinder Singh

Judgement

1. The complainant Raj Kumar Singh, son of late Ajmer Singh, resident of 889, Sector-8, Panchkula has filed this consumer complaint under Section 21 of the Consumer Protection Act, 1986, against the Punjab National Bank, saying that he had a savings bank account no. 3949000102726519 with the Branch of the Punjab National bank at the Sector-4, Panchkula, Haryana. He had deposited a sum of Rs. 8,98,30,383/- with the Bank on 05.12.2013, the money which he received as compensation for acquisition of land through treasury challan issued under instructions of the Court of Additional District Judge, Panchkula. However, the Bank did not like him to withdraw his money alongwith interest and started filing frivolous applications in the Court of Additional District Judge, Panchkula and then in the Hon''ble Punjab & Haryana High Court, which were dismissed by them. The Bank had withheld the amount from 16.01.2014 to 11.06.2014 without any valid reason and had paid interest @ 4% only. The complainant stated that he was entitled to get interest @ 24% from the Bank for the period the amount remained deposited with them. He has filed the present consumer complaint, seeking payment of additional 20% interest. The complainant has also stated that he had filed a report with the local police station against the Bank and also filed criminal complaint no. 4/2014 in the Court of Judicial Magistrate First Class, which was dismissed vide order dated 27.02.2015. The Court of the District & Sessions Judge, Panchkula had also issued notice to the officials of the

Bank.

2. During hearing before me, the learned counsel for the complainant contended that the Bank had withheld payment of the money without any valid reason and hence, the complainant was liable to get 20% more interest for the period the money remained with the Bank and the total amount involved was Rs. 93,00,455/- as per the calculation sheet attached with the complaint.

3. Having considered the averments made in the consumer complaint and the arguments made at the time of hearing, it is seen that the complainant had already initiated criminal action against the officials of the Bank for the allegations levelled in the consumer complaint against them. Even if the Bank retained his money without any valid reason, the complainant is not entitled to the grant of interest @ 24% by any stretch of imagination. It has been stated in the consumer complaint that the amount in question had been deposited in the savings bank account of the complainant. It had also been admitted categorically that the Bank had already paid interest @ 4% to the complainant which is the usual rate of interest for savings bank account holders. The complainant has not taken any plea or filed any evidence to show whether he requested the Bank to keep his money in some fixed deposits etc. Prima facie, no deficiency on the part of the Bank stands established from the material on record. It is held, therefore, that the consumer complaint is without any basis and the same is ordered to be dismissed in limine.