

ITEM NO.3+22

Court 4 (Video Conferencing)

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).13047/2020

(Arising out of impugned final judgment and order dated 05-12-2019 in WPL No. 3044/2019 passed by the High Court of Judicature at Bombay)

GURU NANAK VIDHYAK SOCIETY

Petitioner(s)

VERSUS

RESERVE BANK OF INDIA & ORS.

Respondent(s)

(WITH I.R. and IA No.62105/2020-CONDONATION OF DELAY IN FILING and IA No.62107/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.62106/2020-PERMISSION TO FILE LENGTHY LIST OF DATES)

WITH

Diary No(s). 14261/2020 (IX)

(WITH I.R. and IA No.68045/2020-CONDONATION OF DELAY IN FILING and IA No.68046/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.68047/2020-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Diary No(s). 11767 of 2020

(WITH APPLN.(S) FOR CONDONATION OF DELAY IN FILING, ADDITION/DELETION/MODIFICATION OF PARTIES, EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, PERMISSION TO FILE SLP, PERMISSION TO FILE LENGTHY LIST OF DATES)

Date : 31-07-2020 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDU MALHOTRA
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Colin Gonsalves, Sr. Advocate
Ms. Sneha Mukherjee, Adv.
Mr. Satya Mitra, AOR

Mr. Kailash Vasdev, Sr. Adv
Shreyans Singhvi, Adv
Mr. Deepak Goel, AOR
Ms. Madhuri Gupta, Adv
Mr. R.D.Singh, Adv

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

SPECIAL LEAVE PETITION (CIVIL) Diary No(s).13047/2020 & SPECIAL LEAVE PETITION (CIVIL)Diary No(s). 11767 of 2020

- 1 Permission to file the Special Leave Petition granted.
- 2 Delay condoned.
- 3 The High Court has furnished cogent reasons for not interfering with the directive of the Reserve Bank of India under Section 35A of the Banking Regulation Act 1949. We are not inclined to interfere with the carefully reasoned judgment of the High Court. We decline to entertain the Special Leave Petitions under Article 136 of the Constitution.
- 4 The Special Leave Petitions are dismissed.
- 5 Pending application, if any, stands disposed of.

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 14261/2020

- 1 Delay condoned.
- 2 We are not inclined to interfere with the well-considered decision of the High Court. However, Mr Kailash Vasdev, learned senior counsel appearing on behalf of the petitioner, submits that among the depositors who he represents are those who are suffering from serious medical conditions such as cancer.
- 3 In the event that any genuine depositor has a grievance in regard to a disbursement for the purpose of attending to urgent medical or educational

requirements, we will leave it open to the depositor to move a representation to the competent authority in the Reserve Bank of India and/or the Administrator appointed by the Reserve Bank of India. The Administrator may devise appropriate modalities within the terms of the existing directives as applicable to ensure that genuine cases of hardship on medical and educational grounds are duly attended to.

- 4 Subject to the aforesaid, the Special Leave Petition is dismissed.
- 5 Pending applications stand disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(SAROJ KUMARI GAUR)
COURT MASTER