



2025:AHC:217946-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 914 of 2025

Lal Bahadur Patel

.....Petitioner(s)

Versus

Union of India and 6 others

.....Respondent(s)

Counsel for Petitioner(s)	:	Vishal Tandon
Counsel for Respondent(s)	:	A.S.G.I., C.S.C., Pashupati Nath Tripathi, Anurag Khanna (Sr. Adv.) with Sumit Kakkar, Ugrasen Kumar Pandey

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE

HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition has been filed by the petitioner seeking a direction restraining respondent nos. 4 and 5 from shifting the Branch Office of Indian Bank situated in Gram Sabha Banka Jalalpur, Block Mau Aima, Tehsil Soraon, District Prayagraj from the present location to a different distant location.

2. A plea was raised that the Branch has been shifted to other village and in terms of Section 23 of the Banking Regulations Act, 1949 ('the Act'), without permission of the Reserve Bank of India, the Branch cannot be transferred to another place.

3. It was submitted on behalf of the Reserve Bank of India, based on instructions and Circular dated 18.05.2017 pertaining to Rationalisation of Branch Authorisation Policy - Revision of Guidelines and its Clause 5 pertaining to merger/closure/shifting/conversion of Banking Outlets, that in terms of Clause 5.2, the required approval of the DCC has been taken and there is no necessity to seek permission from the Reserve Bank of India.

4. Reliance was placed by the petitioner on Section 23(1)(a) of the Act to contend that the Branch could not have been shifted without the permission from the Reserve Bank of India and the Circular, if any, issued under Section 35-A of the Act, cannot override the statutory provisions.

5. A counter affidavit was filed with reference to provisions of Section 23(3) of the Act to indicate that the Reserve Bank of India can grant permission subject to such conditions as it may think fit to impose either generally or with reference to any particular case and therefore, in the present case, the Circular dated 18.05.2017 deals with the circumstances which have been followed.

6. When the said submissions indicating the non-requirement of permission from RBI were made, a plea was raised that though the Branch has been shifted about 5 kms away from Village Banka Jalalpur to Sultanpur Khas, the Branch continues to carry the name of Banka Jalalpur Branch, which is creating the issue, in the petitioner's making representation for opening of the Branch, the name of the Branch already exists. Further, the existence of business correspondent of the bank was also not disclosed, based on which time was granted.

7. Today, learned counsel appearing for the Indian Bank has produced order dated 02.12.2025 *inter alia* indicating the change of name of the Branch from Banka Jalalpur Branch to Mau Aima. Further, a Business Correspondent Sub-Agency Agreement has been produced for perusal, wherein on 29.01.2025, a business correspondent has been appointed along with the pictures of the office of the said business correspondent.

8. In view of the above fact situation, though the plea raised seeking to question the action of the bank in shifting the Branch, apparently has no substance, the related reliefs pertaining to the change of name of the Branch as well as existence of the business correspondent have been satisfied by the respondents.

9. In that view of the matter, no further orders are required to be passed in the present petition. The petition stands **disposed of**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

December 4, 2025

AHA/AKShukla