

BIHAR HUMAN RIGHTS COMMISSION

9, Bailey Road, Patna

File No. BHRC/Comp. 3452/13

Case of Chandra Madhav Tiwary: (Case of snatching away of money from the Bank premises)

6.4.2015

Petitioner's son present. Chief Manager, SBI, Kadamkuan, Mrs. Bela Deepika Xess present.

The complaint was that after receiving his pension on 10.8.2013 while coming out the bank somebody took away his bag and ran away with the money amounting to Rs.27,000. The petitioner is a pensioner and he had gone to withdraw his pension from the bank. According to him this incident happened inside the premises of the bank. The bank has not denied that the petitioner is a pensioner and he withdrew the amount of Rs.27,000 on 10.8.2013 but the bank took the defence that the bag containing the money was snatched away from the petitioner not in the bank but from outside the bank on 13.7.2014.

Chief Manager, Mr. Neyaz Akhtar mentioned before the Commission that bank is having CCTV cameras and he has seen the CCTV footage of the date of the incident and no such incident has happened within the bank premises. He was asked to produce the recording of the CCTV footage on 14.8.2014. Nobody appeared for long time after that from the bank. Ultimately, on 21.10.2014 the Commission was informed by Smt. Bela Deepika Xess that she has taken over as the Chief Manager of the bank and Mr. Neyaz has been transferred. She has fairly conceded that there is no CCTV footage available with the bank with respect to the date of incident. This she stated before the Commission on 13.11.2014.

Thereafter, the case was adjourned on several occasions to enable the bank to have some compromise with the petitioner. The parties failed to arrive at a compromise. The Commission feels amount has been lost within the Bank premises and it is responsibility of Bank to compensate the petitioner.

Perhaps, it would have been difficult for the petitioner to prove that he lost the money within the bank premises but because of the bank's stand that they have CCTV footage and later on not producing it, made his task easier. The Commission can draw a presumption in favour of petitioner.

Therefore, I allow this petition and by way of compensation direct the Bank to pay an amount of Rs.27,000 to the petitioner within a period of four weeks.

Matter is closed.

Copy of the order be given to the petitioner, Chief Manager, SBI, Kadamkuan, Patna and to the Regional Manager, SBI, J.C. Road, Patna.

(Justice Bilal Nazki)
Chairperson