

no. 64

Date: 11/06/2026

Certified Copy of order dated 09/06/2026

**BEFORE THE DISTRICT CONSUMER DISPUTES REDRESSAL
COMMISSION, KAITHAL**

Complaint Case No. 03 of 2026.

Date of institution: 07.01.2026.

Date of decision: 09.06.2026.

Smt. Shaily Sikka w/o Shri Dipesh Sikka, r/o House No.859/9, Sikka Colony, near
PNB Timber Market, near Hindu School, Kaithal.

...Complainant.

Versus

1. ICICI Bank, Dhand Road, through its Branch Manager.
2. Registered office ICICI Bank Tower, near Chakli Circle, Old Padra Road,
Vadodara-390007, Gujarat, through its authorized officer.

...Opposite Parties.

Complaint u/s 35 of the Consumer Protection Act, 2019

**CORAM: SMT. NEELAM KASHYAP, PRESIDENT.
SMT. HARISHA MEHTA, MEMBER.
SHRI SUNIL MOHAN TRIKHA, MEMBER.**

Present: Shri Nipun Sikka, Advocate for the complainant.
Shri Arvind Khurania, Advocate for the Opposite Parties.

ORDER - NEELAM KASHYAP, PRESIDENT

Complainant has filed this complaint u/s 35 of the Consumer Protection Act, 2019, against the OPs, with the averments that she is maintaining her saving bank account with OP bank vide Account No.086101004260. That she tried to make transaction through her said account for medical requirement on 12.12.2025, however, the said transaction failed and then she checked her balance of said saving account and came to know that a lien has been imposed. Then she tried to connect with customer care executive, however, no plausible explanation



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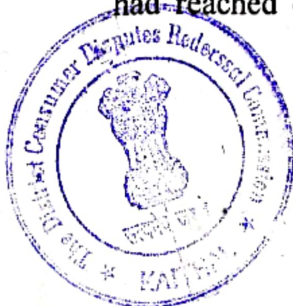
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was provided to her. That she visited the OP No.1 office on 15.12.2025 but their officials refused to lift lien and further intimated that her account is under lien with regard to a fraud dispute from the backend team and OP No.1 would not be able to remove the lien imposed by backend team. That she also sent an email dated 19.12.2025 to customer care of OP bank in this regard and also demanded the reason for imposition of lien by OP or any FIR or police complaint, but no reply to the same was ever given by the OPs. That she is an income tax assessee and the balance of her saving account on 13.12.2025 was Rs.14,14,006.82 and further lien has been imposed of Rs.34,90,000/- making available money in the said bank account to Rs.2,75,993.18. That he has not received any notice or any intimation or any material document with regard to imposition of lien on her saving account. That the above act of the OPs amounts to gross deficiency in service on their part, due to which, she suffered huge physical harassment, mental agony, constraining her, to file the present complaint, against the OPs, before this Commission.

2. Upon notice of complaint, the OPs appeared before this Commission and filed their written statement, submitting therein that, the complainant is maintaining a saving account No.086101004260 with ICICI Bank Ltd. That on 23.11.2025, an amount of Rs.34,90,000/- was transferred into the account of complainant by Ms. Shilpa Vij through NEFT. That the said remitter i.e. Shilpa Vij is the sister of complainant. That post transfer of the amount, the said Shilpa Vij had reached out to the bank on customer care number and disputed the above

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mentioned transaction vide request No.SR1088504794 pursuant to which the bank had marked lien on the account for the disputed amount accordingly. That on 22.12.2025 complainant's son had visited branch and requested for the removal of the lien marked on complainant's account. That the officials of OPs contacted the remitter Shilpa Vij on her registered mobile no.15102038681 and alternate contact No.14168477979 on 19th, 20th and 22nd December 2025 but all call attempts went unanswered. That as per record, the total disputed amount i.e. Rs.34,90,000/- pertaining to two transactions carried out on 23rd November 2025 through the Internet Banking channel. That as per precautionary measure and in accordance with the Bank's internal process/guidelines, lien was imposed on the complainant's account for the disputed amount.

3. To prove the case, complainant tendered into evidence affidavit Ex.CW1/A alongwith documents Annexure-C1 to Annexure-C13.

4. On the other hand, the OPs tendered into evidence document Annexure R1.

5. We have heard the learned counsel for the parties and perused the entire case file record carefully.

6. Learned counsel for the complainant has argued that the complainant is maintaining her saving bank account with OP bank. He further argued that the complainant tried to make transaction through her said account for medical requirement on 12.12.2025, however, the said transaction failed. He further argued



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that the complainant then checked her balance of said saving account and came to know that a lien has been imposed. He further argued that the complainant visited the OP No.1 office on 15.12.2025 but their officials refused to lift lien and further intimated that her account is under lien with regard to a fraud dispute from the backend team and OP No.1 would not be able to remove the lien imposed by backend team. He further argued that the complainant also sent an email dated 19.12.2025 to customer care of OP bank in this regard and also demanded the reason for imposition of lien by OP or any FIR or police complaint, but no reply to the same was ever given by the OPs. He further argued that the complainant is an income tax assessee and the balance of her saving account on 13.12.2025 was Rs.14,14,006.82 and further lien has been imposed of Rs.34,90,000/- making available money in the said bank account to Rs.2,75,993.18. He further argued that the complainant has not received any notice or any intimation or any material document with regard to imposition of lien on her saving account. He further argued that the above act of the OPs amounts to gross deficiency in service on their part. In order to support his above contentions, he placed reliance upon case laws titled **R. Manimaran Irs Versus State Bank of India, F.A. No.22 of 2019 in C.C. No.45 of 2015, DOD 31.07.2025 and Dinesh Bhawarlal Choudhary Versus Paytm Bank, 2024 (2) CPJ 289.**

7. On the other hand, learned counsel for the OPs has argued that the complainant is maintaining a saving account No.086101004260 with ICICI Bank



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been imposed therein and she visited the OP No.1 office on 15.12.2025 but their officials refused to lift lien and further intimated that her account is under lien with regard to a fraud dispute from the backend team and OP No.1 would not be able to remove the lien imposed by backend team. Learned counsel for the complainant has submitted that the complainant also sent an email dated 19.12.2025 to customer care of OP bank in this regard and also demanded the reason for imposition of lien by OP or any FIR or police complaint, but no reply to the same was ever given by the OPs. He further argued that the complainant is an income tax assessee and the balance of her saving account on 13.12.2025 was Rs.14,14,006.82 and further lien has been imposed of Rs.34,90,000/- making available money in the said bank account to Rs.2,75,993.18. He further argued that the complainant has not received any notice or any intimation or any material document with regard to imposition of lien on her saving account. In order to support her above contentions, the complainant produced copy of statement of account as Annexure C-1; Operative Accounts as Annexure C-2; copy of letter dated 15.12.2025 as Annexure C-3; copy of email dated 19.12.2025 Annexure C-4 and C-5; copy of legal notice dated 22.12.2025 and postal receipts as Annexure C-6 to C-9 respectively, on the case file.

10. Contrary to it, in this regard learned counsel for the OPs has firstly submitted that on 23.11.2025, an amount of Rs.34,90,000/- was transferred into the account of complainant by Ms. Shilpa Vij through NEFT, who is the sister of



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complainant. He further argued that after transfer of the amount, said Shilpa Vij had reached out to the bank on customer care number and disputed the above mentioned transaction vide request No.SR1088504794, pursuant to which the bank had marked lien on the account for the disputed amount accordingly. But we found no merit in this contentions of the OPs, because the OPs have failed to produce any documentary evidence, on the case file, in order to prove their above contentions that said Shilpa Vij had ever made a complaint on the customer care number of the OPs regarding marking lien on the account of the complainant.

11. Learned counsel for the OPs has further submitted on 22.12.2025 complainant's son had visited branch and requested for the removal of the lien marked on complainant's account. He further argued that officials of OPs contacted the remitter Shilpa Vij on her registered mobile no.15102038681 and alternate contact No.14168477979 on 19th, 20th and 22nd December 2025 but all call attempts went unanswered. But we again found no merit in this contention of the OPs because, the OPs have again failed to produce any documentary evidence on the case file in order to prove their above contentions that after receiving complaint from son of complainant, the officials of the OPs had ever contacted to said Shilpa Vij on her registered mobile numbers on 19th, 20th and 22nd December 2025 and those all calls went unanswered.



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12. Learned counsel for the OPs has further argued that as per precautionary measure and in accordance with the Bank's internal process/guidelines, lien was imposed on the complainant's account for the disputed amount. But we again found no merit in this contention of the OPs, because again the OPs have failed to produce their own Bank's internal process/guidelines on the case file, due to which, this contention of the OPs found no merit, hence rejected.

13. Furthermore, the OPs have also failed to produce any FIR or police complaint or any Cyber Cell complaint, with regard to the complaint filed by the said Shilpa Vij for the transaction of amount of Rs.34,90,000/- transferred on 23.11.2025 to the bank account of the complainant.

14. However, in their reply, the OPs has contended that "*the beneficiary investigation was conducted and it revealed that there are two beneficiaries: a first level beneficiary and a second level beneficiary, both beneficiaries are remitter's sister (Shilpa Vij)*". But it is pertinent to mention here that the OPs bank has got no statutory or legal right to carry out an investigation and further OPs bank cannot replace investigating agencies like police, cyber cell etc. Furthermore, the OPs bank has also failed to produce that alleged investigation report on the case file in order to support their above contentions.



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15. The complainant produced one document i.e. National Cybercrime Reporting Portal as Annexure C-11 and as per that in case of any financial fraud, the victim has to approach NCRP (National Cybercrime Reporting Portal) immediately through helpline No.1930 or on NCRP Portal, but nothing such as has been produced by the OPs bank on the case file, from which it can be proved that said Shilpa Vij had ever registered any complaint on the helpline No.1930 or on NCRP Portal, regarding the transaction of Rs.34,90,000/- dated 23.11.2025.

16. During the course of arguments, learned counsel for the complainant has submitted that the OPs bank have not complied with the guidelines of RBI. In order to support his above contentions, he placed Circulars of RBI as Annexure C12 & C-13 in this regard on the case file. However, as per RBI Circular dated 05.06.2013 Annexure C-12 and Circular dated 01.07.2009 C13, it was mandatory for the OPs bank to report the fraud to RBI for amount involving more than Rs.1 lac. However, in the case in hand, the OPs bank have neither reported the above said transaction to the RBI nor any complaint was lodged by the said Shilpa Vij with the police or Cyber Cell in this regard.

17. Needless to mention here that in their evidence, the OPs has produced only one letter written in the name of complainant as Annexure R-1 on the case file. However, from perusal of said letter, it is found that in that letter, the OPs have intimated to the complainant that "in order to life the lien, she has to submit



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the consent from the customer whose funds are credited into the account of the complainant, confirming that the transaction is not disputed and is a genuine transaction". But from perusal of said letter, it is found that the said letter does not bear any date on it. Furthermore, the said letter is marked in the name of complainant, but during the course of arguments, learned counsel for the complainant has denied to receive any such letter from the OPs. We found merit in this contention of the OPs, because the OPs have failed to clarify that by which mode like registered post, email etc. they have allegedly sent this letter to the complainant at any stage.

18. In this regard, our view is fully supported by the case laws titled R. Manimaran Irs Versus State Bank of India (supra), wherein, it is held by the Tamil Nadu State Consumer Disputes Redressal Commission, Chennai that "*Banking services – Deficiency in service – Bank unilaterally freezing customer's account without prior notice, causing inconvenience and mental agony – Bank held liable for deficiency in service and directed to compensate the customer*". Further, in the case titled Dinesh Bhawarlal Choudhary Versus Paytm Bank, 2024 (2) CPJ 289 (supra), it is held by the Maharashtra State Consumer Disputes Redressal Commission, Pune, that "*Freezing of a customer's account without providing a substantive reason and delaying its resolution constitutes a deficiency in service*". ✓



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19. So, keeping in view the case laws referred to above as well as the detailed facts & circumstances of the case, we are of the considered view that the OPs bank have wrongly and arbitrarily imposed lien on the saving bank account of the complainant, without following any due procedure/guidelines issued by the Reserve Bank of India vide their Circular dated 05.06.2013 Annexure C-12 and Circular dated 01.07.2009 C13, and further in absence of any police complaint or cyber cell complaint or FIR, lodged by the said remitter i.e. Shilpa Vij. The above act and conduct of the OPs bank not only amounts to gross deficiency in service but also an act of unfair trade practise on the part of the OPs bank, due to which, the complainant might have had suffered huge physical harassment, mental agony as well as financial loss, without any fault on her part and forced to indulge into unnecessary litigations like complaint in hand. Hence, the OPs are liable to lift the lien on the saving bank account No.086101004260 of complainant, maintained with OP No.1 bank, with immediate effect. For their above act of deficiency in service and unfair trade practise, the OPs are also liable to pay the compensation amount + litigation expenses, to the complainant.

20. In view of our above discussion, we allow the present complaint and direct both the OPs jointly and severally to lift the lien on the saving bank account No.086101004260 of complainant, maintained with OP No.1 bank, with immediate effect. Both the OPs are also jointly & severally directed to pay the compensation amount of Rs.15,000/- + litigation expenses of Rs.5000/-, to the complainant. Both



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the OPs are further jointly & severally directed to make the compliance of this order, within a period of 45 days, from the date of preparation of certified copy of this order, failing which, the total awarded amount shall carry interest @7% simple per annum, from the date of this order, till its actual realization. In default of compliance of this order, proceedings shall be initiated u/s 72 of the Consumer Protection Act, 2019, against both the OPs. However, it is made clear that pending applications, if any, shall also stand disposed of, in terms of this order. A copy of this order be sent to the parties free of cost. File be consigned to the records, after due compliance.

Announced in open Commission:

Date: 09.06.2026.

Sd/-

(Sunil Mohan Trikha).
Member.

Sd/-

(Harisha Mehta).
Member.

Sd/-
(Neelam Kashyap)
President.

Typed by: Sham Kalra, SSS.



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Singh

Assistant Registrar
District Consumer Disputes
Redressal Commission, Kaithal

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