सत्यमेव जयते

न्यायालय मुख्य आयुक्त दिव्यांगजन
COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment
भारत सरकार/Government of India
5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364
5th Floor, N.I.S.D. Bhawan, G-2, Sector-10, Dwarka, New Delhi-110075; Tel.: (011) 20892364
Email: ccpd@nic.in**; Website:** www.ccpd.nic.in

Case No. 13658/1131/2023

In the matter of-

Shri Mohan Kumar Saxena **...Complainant**

Versus

The Branch Manager,
HDFC Bank,
B/34, UGF, Near Muthoot Finance,
Moti Nagar, New Delhi,
Delhi **...Respondent No.1**

The Managing Director & CEO,
HDFC Bank Ltd.,
1st Floor, C.S. No. 6/242,
Senapati Bapat Marg,
Lower Parel,
Mumbai **...Respondent No.2**

1. Gist of the Complaint:

1.1 Shri Mohan Kumar Saxena, a person with 100% Blindness filed a complaint dated 23 October 2022 regarding the denial of a loan by HDFC Bank, Moti Nagar, New Delhi.

1.2 He had applied for a personal loan from HDFC Bank, Moti Nagar Branch. However, the loan was not sanctioned because he could not submit a signed cheque from his salary account. As a counter-proposal, he requested HDFC to open a savings account in HDFC Bank to repay EMI through net banking which he is fully capable of. The proposal was refused by HDFC and their stand was rigid to submit signed cheques. HDFC is still in possession of all the attested documents submitted by him for the purpose of a loan. He expressed his suspicion that the bank may misuse the documents.

2. Submissions made by the Respondents:

2.1 No reply has been received from the Respondents so far despite the issuance of notices issued on 13.01.2023, 10.02.2023, and 27.02.2023 to Respondent No.1, the Branch Manager, Moti Nagar, Delhi and subsequently to the Respondent No.2, the Managing Director & CEO, HDFC Bank Ltd., Mumbai issued on 26.06.2023 and 04.08.2023.

3. Reply filed by Respondent:

3.1 Respondent No. 2 filed their reply dated 16.05.2024 through Sh. Shashank Mishra regarding the complaint by Mr. Mohan Kumar Saxena, a visually impaired person, about a personal loan application. The bank stated that Mr. Saxena applied for a ₹5 lakh loan with his wife as co-applicant, and the loan was approved. However, disbursement could not proceed because Mr. Saxena refused to provide a mandatory post-dated cheque and thumb impression, insisting on online payment instead. The bank denied all allegations of discrimination or violation of constitutional rights and requested dismissal of the complaint as baseless and without cause.

4. Hearing (I):

4.1 A hearing in hybrid mode (online/offline) was conducted on 17.05.2024.

4.2 During the hearing, Complainant stated that the bank had been denying him a personal loan for 1.5 years for not providing post-dated cheques, despite his good repayment record on previous loans.

4.3 The Respondent (bank) failed to appear initially and ignored prior notices. Later, the bank's advocate claimed they only required a blank cheque to confirm ECS details and mentioned a joint account with a co-applicant.

4.4 The Complainant refuted this, clarifying the loan request was for his personal account. Citing RBI guidelines allowing blind persons to access all loan types, the Court directed the bank to process the loan, with a compliance report due within 10 days.

5. Action taken by Respondents against hearing dated 17.05.2024:

5.1 Response dated 01.07.2024 filed by the Respondent No. 2 and submitted that HDFC Bank filed a compliance report stating that after the court's order, the bank contacted Mr. Mohan Kumar Saxena to reprocess his personal loan post-retirement. Since his income now depends on a pension, he must submit required documents like a life certificate and details of a co-applicant.

5.2 Despite repeated follow-ups, Mr. Saxena has not cooperated or provided the documents, preventing reassessment and sanction of the loan. The bank denies any discrimination and requests the court to direct Mr. Saxena to cooperate and submit the necessary documents.

6. Hearing (II):

6.1 A hearing was conducted on 17.11.2025.

6.2 HDFC Bank stated that the loan was approved after due verification, but disbursal could not proceed because the Complainant allegedly did not provide the first EMI cheque required for banking details and ACH mandate updates. Later, after the Complainant's retirement, the bank sought updated documents, including the co-applicant wife's KYC, but these were not provided.

6.3 The Court held that a clear factual record is needed to ensure transparency, fairness, and compliance with the Act. It directed HDFC Bank to file a detailed status report within two weeks explaining the loan sanction, disbursal efforts, developments since May 2024, current status of the application, and its final decision, with supporting documents.

7. Hearing (III): A hearing was conducted on 03.06.2026 in hybrid mode and following parties were present:

Sl. No.	Name and Designation of the Party/Representative	Parties	Mode
1.	None Present	Complainant	Online
2.	Adv. Shri Rishab Raj Jain Counsel for Respondent No.1 & 2	Respondent No.1 & 2	Online
3.	Shri Varun Anand, Vice President, Unsecured Loan Sales, HDFC Bank.	Respondent No.1	Online

4.	Adv. Aditi Dixit Counsel for Respondent No.1 & 2	Respondent No.1 & 2	Physical

8. Proceedings of the hearing:

8.1 At the outset, the Complainant remained absent despite several attempts to contact the Complainant.

8.2 The learned counsel for the Respondents submitted that, in compliance with the directions issued during the previous hearing, a detailed written submission/status report had been filed before this Court. It was submitted that the Complainant had applied for a loan in August 2022 and that the loan application was duly processed and sanctioned by the Bank. According to the Respondents, the loan could not be disbursed as certain mandatory pre-disbursement formalities and documents, including banking mandate requirements, were not furnished by the Complainant despite requests made by the Bank.

8.3 The Respondents further submitted that the Complainant was employed at the time of processing of the loan application; however, his circumstances subsequently changed upon retirement, necessitating fresh verification and certain additional documentation for processing the loan. It was contended that the loan was never denied on account of the Complainant's disability and that the requirements sought by the Bank were part of the standard procedure applicable to all similarly placed applicants.

8.4 The Respondents also submitted that the Complainant has not contacted the Bank for a considerable period and has remained absent from the present proceedings.

9. Observations and Recommendations

9.1 The Court has considered the submissions and documents placed on record by the Respondents. As the Complainant has remained absent despite repeated opportunities, the matter is being decided on the basis of the available record. The Respondents have stated that although the loan was sanctioned, disbursement could not be effected due to non-submission of the requisite documents by the Complainant, and that such requirements are uniformly applicable to all applicants.

9.2 In the absence of any material to the contrary, the Court finds no evidence of discrimination on the ground of disability. However, in the interest of justice, the Complainant deserves one final opportunity to pursue the loan application.

9.3 Therefore, HDFC Bank shall, within seven (7) days, communicate to the Complainant the current status of the loan application, the pending documents/formalities, if any, and the timeline for compliance. The Bank shall process the application in accordance with the applicable rules upon receipt of the Complainant's response. An Action Taken Report, along with a copy of the communication and proof of dispatch, shall be submitted before this Court within three (3) weeks from the date of this Order.

10. Any failure to comply with the above recommendations within the stipulated period shall be viewed seriously and may invite appropriate action under the provisions of the Rights of Persons with Disabilities Act, 2016.

11. Acoordingly, the case is disposed of.

Digitally signed by
S Govindaraj
Date: 23-07-2026
16:13:48

(S. Govindaraj)

Commissioner for Persons with Disabilities