

**OFFICE OF THE ADJUDICATING OFFICER,  
GOVERNMENT OF GUJARAT,  
SCIENCE & TECHNOLOGY DEPARTMENT,  
Block No: 7, 5<sup>th</sup> Floor, Sardar Patel Bhavan, Sachivalaya, Gandhinagar.**

**Special Civil Complaint No: 56**

**Date of Decision:15/ 11/ 2018**

**IN THE MATTER OF:**

**To**

**M/s Amos Corporation (A Division of Amos Enterprise), Ahmedabad,**  
Through Shri Arjun Sheth / Ms. Gopi Sisodiya, (Advocate & Solicitor)  
106-A, 1<sup>st</sup> Floor, Block-C, Ganesh Meridian,  
Opp. Gujarat High Court,  
S.G. Highway, Ahmedabad-380060.

**Vs**

1. **The Branch Manager,**  
M/s Union Bank Ltd,  
Vastrapur, Harimanju Dr. V. Sarabhai Road,  
Nr. Ketav Petrol Pump, Polytechnic, Ahmedabad-380015.
2. **The Branch Manager,**  
M/s HDFC Bank Ltd,  
5<sup>th</sup> Floor, Tower-B, Peninsula Business Park, Ganpatrao Kadam Marg,  
Lower Parel West, Mumbai-400013.
3. **The Branch Manager,**  
M/s IndusInd Bank Ltd,  
World Business House, Nr. Parimal Garden, Ellisbridge, Ahmedabad.
4. **M/s Idea Cellular Limited,**  
2<sup>nd</sup> Floor, Venus Atlantis, 100 ft Road,  
Prahladnagar, Ahmedabad-380015.
5. **The Branch Manager,**  
M/s IndusInd Bank Ltd,  
Pooja Plus Complex, Parasia Road,  
Chhindwara, Madhya Pradesh-480001.
6. **The Branch Manager,**  
M/s IndusInd Bank Ltd,  
Shop No-5, Mahatma Phule Road, Plot no-66, Sector-17,  
Vashi, Navi Mumbai, Maharashtra-400705.
7. **The Branch Manager,**  
M/s HDFC Bank Ltd,  
Parasia Road, Opp. Asaram Bapu Mahila Ashram,  
Chhindwara, Madhya Pradesh-480001.



**8. Shri Sameer Suren Singh**

Parasia Road P4 CPH6,  
Page-58, Opp-ICICI Bank,  
Chindwara-480001, Madhya Pradesh.

**9. Shri Arvind Verma**

H/O SUDAMA BAI DEHARIYA  
Behind Tirumala Construction-Bhayde Colony Chhindwara IN  
CHHINDWARA-480001, Madhya Pradesh

**10. Shri Manoj Kumar**

Divya Darshan Flat-302, Sec-6, Plot No-110,  
NERUL (w), Navi Mumbai-400706,  
Maharashtra

**MR. DHNANJAY DWIVEDI  
ADJUDICATING OFFICER UNDER  
INFORMATION TECHNOLOGY ACT, 2000**

1. This matter has been filed by the petitioner under Section 43-A of the Information Technology Act, 2000.

2. The brief of the case as mentioned by the petitioner is as follows:

- a) The complainant is a public limited company incorporated under the provisions of the Companies Act, 1956, being M/s Amos Corporation, a division of Amos Enterprise Ltd ("**Petitioner**") who is the owner and operator of the current account no: \*\*\*\*\*11121 ("**Account**") with UBI ("**Respondent no:1**") with its branch office located at Vastrapur, Ahmedabad. That the complainant is engaged in the business of trading in chemicals, inks and technical grade fertilizers having its office at Gulbai Tekra, Panchvati Second Line, Ellisbridge, Ahmedabad, Gujarat.
- b) The Complainant inter alia uses the net banking facility / service provided by the bank. That the account being a current account is used daily by the complainant in relation to the commercial transactions carried on by the complainant. That the complainant keeps with him and in secrecy the username and password to such net banking account.
- c) The complainant along with the accountant of the complainant being one Mr. Alpesh K Shah are the only two persons who are aware of the username and password for the use of the said net banking facility. Mr. Alpesh K Shah has been working with the complainant and in his organization for last 24 yrs.
- d) On 13.01.2014 at about 10:30 hrs in the morning, the mobile no 9824032110 belonging to the complainant went out of service. On 13.01.2014 funds to the tune of Rs 14,26,000/- were transferred from the petitioner's account to accounts of persons unknown to the complainant and in an unauthorized manner via the net banking facility provided by the Bank.
- e) That following are the details of the transactions by which monies in an authorized manner were transferred from the account to accounts of unknown persons via net banking facility.

