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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 118/2026

HIMAKSHI BHARGAV

.....Petitioner

Through: Mr. Kunal Madan and Mr. M. Sarawagi, Mr. Yugal Jain, Ms. Teena, Simran, Rahul Matharu, Piyush Jain, Mr. Harshwardhan, Mr. Raj Kumar, Mr. I. Ahuja, Mr. Ayush, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Balendu Shekhar, CGSC with Mr. Krishna Chaitanya, Mr. Rajkumar Maurya, Mr. Divyansh Singh Dev, Advs. for R-1
Mr. Ramesh Babu M.R. and Ms. Nisha Sharma, Adv. for R-2
Ms. Mamta Rani Jha and Ms. Shruttima Ehersa, Ms. Aishwarya Debadarshini, Ms. R. Jalan, Advs. for R-3

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

07.01.2026

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1. Issue notice to respondent nos.1 and 2.
2. On behalf of respondent no.1, Mr. Balendu Shekhar, learned Central Government Standing Counsel has put in appearance and accepts notice, whereas Mr. Ramesh Babu M. R., learned counsel has put in appearance and accepts notice on behalf of respondent no.2.
3. This public interest litigation petition raises a serious concern regarding violation of right of protection of data of the borrowers through Digital Lending Applications (DLAs). The Reserve Bank of India, in



exercise of its power conferred on it under Sections 21, 35A and 56 of the Banking Regulation Act, 1949 and Sections 45-JA, 45L, 45M of the Reserve Bank of India Act, 1934 and also under Sections 30A and 32 of National Housing Bank Act, 1987 and under various other provisions has issued statutory guidelines titled “Reserve Bank of India (Digital Lending) Directions, 2025” (“Guidelines”). The said guidelines are applicable to all digital lending activities of Commercial Banks, Primary Urban Cooperative Banks, State Cooperative Banks, Central Cooperative Banks, All Non Banking Financial Companies and All India Financial Institutions.

4. The Guidelines are regulatory in nature and provides for certain measures for checking the proliferation of data of the borrowers. It also provides for mechanism for grievance redressal.

5. We, thus, require the Reserve Bank of India to file a counter-affidavit not only in respect of the averments made in the writ petition, but also bringing on record the action taken for enforcement of the Guidelines.

6. The counter-affidavit to be filed by the Reserve Bank of India shall also disclose as to what action has been taken by the concerned entities in case, any violation of the said directions is found. The affidavit shall be filed within a period of six weeks. Two weeks thereafter shall be available to the petitioner to file the rejoinder, if any.

7. List on 01.04.2026.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JANUARY 7, 2026/j