

Mr. Ashish Dandona v. Dhanklaxmi Bank Limited (2017 SCC OnLine CCI 18)

Decision Date: 21.02.2017

Key Words: *pre-payment charges; abuse of dominance*

Issue: Whether imposition of pre-payment charges amount to abuse of dominant position?

Rule: Sec. 4 of the Competition Act, 2002

In the present case the Informant has alleged abuse of dominance position under Sec. 4 against the OP for imposing pre-payment charges and non-reduction of interest rate due to the decrease in the repo rate. The Commission defines the relevant market as the market for provision of loan against property in Delhi. Further given the small presence of the OP and the presence of various competitors, the Commission is of the opinion that OP does not enjoy a dominant position and thus holds that no case can be made out under Sec. 4 against the OP. In conclusion the case is closed under Sec. 26(2) of the Act.

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