

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1806 OF 2016

Kingfisher Airlines Limited.

.. Petitioner

Vs

Union of India and Others.

.. Respondents

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Shri Rohaan Cama along with Shri Shanay Shah i/b M/s. Bachubhai Munim &
Co for the Petitioner.

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CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ
DATED : 18TH NOVEMBER 2016

PC.

1. Heard learned counsel appearing for the Petitioner. A show cause notice was issued to the Petitioner by the second Respondent Bank calling upon the Petitioner to show cause as to why the Petitioner should not be declared as a willful defaulter. The challenge in this Writ Petition is confined to the said show cause notice. In our view, the Petitioner ought to have replied to the show cause notice dated 18th April 2016 by raising all appropriate contentions including the contentions raised in the Petition. Hence, no case is made out for interference in writ jurisdiction under Article 226 of the Constitution of India against the show cause notice.

2. Accordingly, the Writ Petition is rejected. Needless to add that if the order passed on the show cause notice be adverse to the

Petitioner, it will be open to the Petitioner to challenge the same in accordance with law.

(SMT. ANUJA PRABHUDESSAI, J)

(A.S. OKA, J)