

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2885 OF 2016**

**Vijay B. Patil & ors.
Vs.
State Bank of India.**

**..Petitioners

..Respondent.**

**Mr. Rahul Narichania, Sr. Advocate i/b. Ms. Sapana Rachure, for the
Petitioners**

Mr. Sagar Ghogre i/b. Mr. V.S. Sawant, for the Respondent.

**CORAM : R. M. SAVANT &
SMT.SADHANA S. JADHAV,JJ
DATE : 29th JUNE, 2017**

P.C.

1 The Writ jurisdiction of this Court is invoked against the Orders passed by the Willful Defaulter Identification Committee (WIDC) dated 21/4/2016 and the order dated 28/6/2016 passed by the Review Committee. Suffice it to state that the said order has been challenged on the ground of violation of the principles of natural justice. It is not necessary to dilate further on the said aspect in view of the statement made by the learned Counsel appearing for the Respondent Bank. The learned Counsel Mr. Ghogare appearing for the Respondent Bank makes a statement that the Petitioners would be heard by the WIDC and a reasoned order thereafter would be passed by the WIDC.

2 In view of the said statement made by the learned Counsel appearing for the Respondent Bank, both the impugned orders i.e. the Order dated 21/4/2016 passed by the WDIC and the Order dated 28/6/2016 passed by the Review Committee would stand set aside and the matter is relegated back to the WDIC for a de novo consideration of the issue as to whether the Petitioners can be termed as Willful Defaulters.

3 The Petitioners to appear before the WDIC on 20/7/2017. However, if the Petitioners desire to file any further representation, they would have to do so on or before 18/7/2017.

4 If the further representation is not filed on or before 18/7/2017, the right to file the same would stand forfeited. In the said event, WDIC would then proceed on the basis of the statement dated 2/5/2016 filed by the Petitioners.

5 If the further representation is filed, then WDIC would take into consideration both, further representation as well as the earlier representation dated 2/5/2016 and after taking into consideration the submissions, that

would be made on behalf of the Petitioners at the hearing, would decide the matter within 8 weeks thereafter.

6 Needless to state that the contention of the parties kept open for being urged before the WDIC.

7 With the aforesaid directions, the Writ Petition is disposed of.

[SMT.SADHANA S. JADHAV,J]

[R.M.SAVANT, J]