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

+ W.P.(C) 2626/2017

SUBHASH KUMAR JHA

..... Petitioner

Through: Mr M. M. Singh and Mr M. K. Gupta,
Advocates alongwith petitioner in
person.

versus

ORIENTAL BANK OF COMMERCE & ORS Respondents

Through: Mr S. K. Sharma, Advocate for R-1.
Mr Rajat Arora, Advocate for R-2.
Ms Mayuri Raghuvanshi and Mr
Vyom Raghuvanshi, Advocates for R-
3.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **19.07.2017**

1. The petitioner has filed the present petition, *inter alia*, praying as
under:-

- “ a) Pass appropriate writ, order or direction, directing the Respondent no.2 to produce the caution list and thereafter direct them to remove the name of the Petitioner from the Caution list and circulate the same amongst its members.
- b) Pass appropriate writ, order or direction, directing the Respondent No.1 to include the name of the Petitioner in the list of its Advocates.
- c) Pass appropriate writ, order or direction, directing the respondent No.3 to remove the name of the Petitioner from the Black list issued vide letter dated 18.2.2017 and include the name of the Petitioner in the list of Advocates and circulate to

the branches.”

2. At the outset the learned counsel for the petitioner states that he does not wish to press prayer (b) and has limited the present petition to seeking other reliefs as prayed for.

3. The grievance of the petitioner stems from the fact that respondent no.1 has placed the petitioner on a caution list and also communicated the same to respondent no.2. Consequently, respondent no.2 has also disseminated this information to other banks (including respondent no.3) and based on such information respondent no.3 has black listed the petitioner.

4. The learned counsel for the petitioner submits that the petitioner has been unable to place all the relevant facts before respondent no.1. In view of this submission, the learned counsel for respondent no.1 states that respondent no.1 will have no difficulty in considering the petitioner’s representation, if made, and pass a fresh order.

5. In view of the above, the present petition is disposed of by directing that the petitioner may file a representation within a period of two weeks. In the event the petitioner does so, respondent no.1 shall consider the same and pass an appropriate order within a period of six weeks thereafter.

6. In the event, the respondent no.1 decides in favour of the petitioner and withdraws its decision to put the name of the petitioner on the caution list, respondent no.1 will communicate the same to respondent no.2 who in turn shall take the necessary steps to inform other banks (including

respondent no.3). Respondent no.3 shall also take consequential steps and recall its action of blacklisting the petitioner.

7. It is clarified that nothing stated in this order shall be construed as an expression of opinion on the merits of the case set up by the petitioner.

8. The petition is disposed of with the aforesaid observations.

9. The date already fixed, that is, 01.09.2017 stands cancelled.

10. Order *dasti*.

VIBHU BAKHRU, J

JULY 19, 2017
MK