

**Circuit Bench of Calcutta High Court
at Jalpaiguri**

⁴⁶
sm 16.07.
2019

WPA 98 of 2019

**Mahakal Agro Storage and Processing Unit Private
Limited & Others
Versus
Indian Overseas Bank and Others**

Mr. Debjit Mukherjee,
Mr. Saumyajyoti Dutta.
....for the petitioners.

Mr. Sanjay Kumar Sarkar.
.....for the respondent no.1, 2 & 3.

The instant writ petition has been filed challenging a notice dated 7th February, 2019 issued by the respondent-bank. By the impugned notice the petitioner was declared to be a “willful defaulter”. By an order dated 23rd April, 2019 this Hon’ble Court granted an ad-interim order of injunction on the ground of there being a jurisdictional error in the issuance of the impugned notice by the Senior Regional Manager who was not authorized under the Master Circular to issue the impugned notice.

Counsel on behalf of the respondent-bank has filed an affidavit inter alia, stating that the impugned show cause notice has been withdrawn and the respondent/bank reserves its right to initiate appropriate proceedings.

In the light stand taken by the respondent-bank, the instant writ petition has become

infructuous and no useful purpose would be served in keeping the same alive.

For the foregoing reasons WPA 98 of 2019 is disposed off.

There will be no order as to costs,

Urgent photostat certified copy of this order, if applied for, shall be furnished to the parties upon compliance of all formalities.

(Ravi Krishan Kapur, J.)