

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
ORIGINAL SIDE

WPO 435 OF 2020  
ANIL AGARWAL & ORS.

VS.

THE RESERVE BANK OF INDIA & ORS.

BEFORE :  
THE HON'BLE JUSTICE  
SABYASACHI BHATTACHARYYA  
DATED : DECEMBER 21, 2020.  
(VIA VIRTUAL MODE)

Mr. Sounak Ghosh, Adv.  
Mr. Rajib Mallick, Adv.  
...for petitioners  
None appears  
...for respondents.

The Court :- The petitioners submit that the petitioners have given a representation to the respondents for restructuring without downgrade in the asset classification, since the petitioners' claim falls within the relaxations provided in the R.B.I. Circular dated August 6, 2020, which affords benefits to M.S.M.E.s in view of the pandemic situation. It is also submitted that the petitioners satisfy all the conditions as stipulated therein. However, the authorities have not yet considered such representation.

Despite service, none appears on behalf of the respondents.

The veracity of the petitioners' contentions are borne out by the writ petition and its annexures. Since the prayer of the petitioners is

innocuous, the writ petition need not be kept pending due to absence of the respondents despite notice.

Accordingly, WPO 435 of 2020 is disposed of by directing the respondents 2 and 3 to consider the petitioners' representation for restructuring of advances within the ambit of the Circular dated August 6, 2020 issued by the Reserve Bank of India in view of the pandemic situation (Annexure P/4 at page 27 of the present writ petition).

The petitioners shall serve fresh copies of the writ petition and communicate this order to the respondents at the earliest. The respondents are to act on the server copy of this order without insisting upon prior production of a certified copy.

There will be no order as to costs.

Urgent certified photocopy of this order, if applied for, be made available to the parties subject to compliance of all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)

**GH.**