

OD – 6

ORDER SHEET
WPO/219/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Original Side

MR. RANJAN RISHAV AND ANR.
Versus
RESERVE BANK OF INDIA AND ORS.

BEFORE:
The Hon'ble JUSTICE SHIVAKANT PRASAD
Date : 1st October, 2021.

Appearance :
Mr. Arik Banerjee, Adv.
Mr. Pujon Chatterjee, Adv.
...For the Petitioner

Mr. Deva Nand Misra, Adv.
Mr. Prashant Kumar Singh, Adv.
... for the respondent nos. 2, 3.

Ms. Somi Ojha, Adv.
Ms. Sambrita Biswas Chatterjee, Adv.
...For the Respondent no.4.

The Court : The grievance of the petitioners in this writ application is that in spite of payment of entire dues of the respondent no.2 in connection with a loan against property the respondent no.2 has intentionally categorized the petitioners as willful defaulters in the website of the respondent no.4 which has resulted in rejection of a request for a car loan by Axis Bank due to such status. The petitioners learnt from the website of CIBIL that in spite of a loan clearance with the respondent no.2, the petitioners were shown as willful defaulters. Accordingly, the writ petitioners have sought for direction upon the respondent

no.4 to rectify the status of the petitioners in their website so that the petitioners are no longer shown as willful defaulters and further directing the respondent no.2 and its concerned officers to make necessary rectification in the website of the respondent no.4.

This Court by its order dated June 28, 2021 has made such observation that despite the communications made with regard to 'no dues' in the loan account, the petitioners were displayed in the website as willful defaulters. The respondents have used their affidavits and it is contended that the status of the petitioners as defaulters have been deleted from the website but for the conduct on the part of the respondent nos. 2 and 3 for having displayed the petitioners as defaulters in the website despite the fact that loan was duly satisfied, they must be penalized and for that this writ application being no. WPO/219/2021 is disposed of with costs of Rs.25,000/- to be deposited by the respondent nos. 2 and 3 with the Member Secretary, State Legal Services Authority for the welfare of the destitute children.

(SHIVAKANT PRASAD, J.)