

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO. 24482 OF 2021
IN
WRIT PETITION NO. 1516 OF 2021**

Sanjiv Rasiklal Sheth

... Applicant

IN THE MATTER OF

Sanjiv Rasiklal Sheth

... Petitioner

V/s.

Bank of Baroda & Anr.

... Respondents

Mr. Sunil Purohit a/w. Ms. Trupti Shetty, Ms. Samruddhi Sonar, Ms. Tanvi Jain
i/b. Dhruve Liladhar & Co. for the Applicant/Petitioner.
Mr. Jayesh R. Patel, for Respondent No.1.

**CORAM : PRASANNA B. VARALE &
MADHAV JAMDAR, JJ.**

DATED : 28TH OCTOBER, 2021

P.C:-

- . Not on board. Mentioned. Taken on board.
2. The interim application is circulated before this Court claiming urgency. The Interim Application is for amend as per the schedule annexed to the Interim Application. The Applicant is seeking interim relief in terms of prayer clause (c1) of the amended prayer clause.
3. The learned Counsel appearing for the Petitioner submitted that the Applicant/Petitioner was served with show cause notice dated 4th February 2021 and subsequently order dated 9th June 2021 was passed which is impugned in the Petition. The said order was passed by Willful Defaulter Identification Committee. The Review Committee subsequently passed an order dated 24th September 2021 which is non-speaking and a non-reasoned order. Respondent No.1 may take the steps to publish the name and photograph of the applicant as willful defaulter and initiate recovery action against the Applicant/petitioner. Learned Counsel for the Petitioner submits that apart from the financial loss, the Applicant/Petitioner would be subjected to defamation. As such the Counsel for the Petitioner prayed for interim order or direction to respondent No.1.

4. Learned Counsel for respondent No.1 submitted that till date the Petition is not amended, so as to challenge the order dated 24th September 2021.
5. On instructions, learned Counsel for respondent No.1 further submitted that the Petitioner has not taken any steps so as to publish the name and photograph of willful defaulter. Learned Counsel for the Petitioner submitted that he is not having any instructions regarding initiation of the recovery action.
6. Interim Application seeking amendment is allowed in terms of prayer clause (a).
7. Amendment to be carried out by Friday i.e. 29th October 2021. Re-verification is dispensed with.
8. Amended copy of Petition be supplied to respondent No.1.
9. Respondent Nos.1 to 5 file reply to the amended Petition within three weeks from today.
10. By way of interim direction, we direct respondent No.1 not to take any coercive steps against the Petitioner in furtherance of order dated 12th October 2021 including not to publish the name and photograph by way of paper publication or communication till the next date.
11. Interim Application (L) No.24482 of 2021 is disposed of.
12. Post the Petition for further consideration on 23rd November 2021.
13. All concerned to act on authenticated copy of this order.

[MADHAV JAMDAR, J.]

[PRASANNA B. VARALE, J.]