

12.12.2022
sayandeep
Sl. No. 30
Ct. No. 05

WPA 19127 of 2022

M/s Suvidha Suppliers Private Limited
-Versus-
HDFC Bank Ltd. & Ors.

Mr. Suresh Sahni
Mr. Soumik Ghosh

....for the petitioner

Ms. Soni Ojha

... for the respondent No. 1

The petitioner does not have a satisfactory answer to the question of maintainability. The only ground submitted by learned counsel appearing on behalf of the petitioner is that the respondent No. 1 which is a private Bank is a constituent of the Reserve Bank of India. The Reserve Bank of India is the respondent No. 2 in the writ petition.

Since there is little doubt that the present writ petition cannot withstand the maintainability issue against a purely private Bank (respondent No. 1), WPA 19127 of 2022 is disposed of with a direction on the respondent No. 2 which is the Reserve Bank of India to consider the representation made by the petitioner to the RBI on 08.07.2022 for initiating action against the respondent No. 1. The RBI shall consider the representation and pass a reasoned order within a period of four weeks from the date on which the RBI

receives the representation made by the petitioner in terms of what has been stated above.

It may be noted that the RBI has remained absent from the proceedings despite being served. The RBI shall hear both the petitioner as well as the respondent No. 1 before passing the reasoned order. A copy of the reasoned order shall be made available to the petitioner within a week from date on which such reasoned order is passed.

(Moushumi Bhattacharya, J.)