

11.03.2022
Court No.13
Item No.25
sp

WPA 20617 of 2021

**Om Prakash Agarwala & Anr.
Vs.
Reserve Bank of India & Ors.**

(Through Video Conference)

Mr. Jishnu Chowdhury,
Mr. Aritra Basu,
Mr. S.K. Singhi,
Ms. Riti Basu,
Ms. Roshni Deepta Acharya

... For the Petitioners.

Mr. Abhishek Banerjee,
Ms. Parna Roy Choudhury

... For the Bank.

Ms. Soni Ojha,
Ms. S.B. Chatterjee

...for the respondent no.9

The writ petitioners are aggrieved by order dated November 15, 2021 passed by the Wilful Defaulter Identification Committee.

The petitioners refer to the order dated December 24, 2020 passed in WP 11867 (W) of 2020 by a Co-ordinate bench of this Court, the writ petitioner was to have been furnished with certain documents to enable him to make appropriate representation and submissions before the Identification Committee. Admittedly, this document has not been furnished to him.

In that view of the matter, the impugned order dated November 15, 2021 shall stand set aside. The

petitioner shall be furnished all documents as mandated under order dated January 6, 2021 (supra) within a period of 7 days from date. The petitioner may make suitable representation to the Identification Committee within a period of 10 days thereafter. The Identification Committee shall take a suitable decision and communicate the same to the petitioner accordingly, within a period of 15 days thereafter.

The parties may take appropriate steps in accordance with the Circular of the Reserve Bank of India relating to willful defaulters.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)