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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1083/2022

RAVI SANEI
VERSUS
UCO BANK AND ORS.

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 4th April, 2022

Appearance:

Mr. Pranit Bag, Adv.

Mr. Manas Das, Adv.

Mr. Sailesh Mishra, Adv.

The Court :- The writ petitioner is aggrieved by the action of the UCO Bank in having informed CIBIL that the petitioner has outstanding dues towards the Bank. As a consequence of the above, CIBIL has downgraded the credit rating of the petitioner. Initially, the petitioner had contended before this Court that there are no sums due and owed by him to the UCO Bank.

Counsel for the UCO Bank has produced a document showing a personal guarantee having been executed by the petitioner to secure the loan and outstanding dues of a third party.

To decide as to whether the petitioner's guarantee has been discharged or not, this Court would be required to enter into disputed questions of fact on the

contract between the parties. The same is not permitted under Article 226 of the Constitution of India.

WPO/1083/2022 shall stand dismissed with liberty, however, reserved to the petitioner to approach a civil or any other forum against the actions of the UCO Bank that he complains of.

(RAJASEKHAR MANTHA, J.)