

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 3232 OF 2022

Vijit Kumar Agrawal ...Petitioner
Versus
Indian Bank And 6 Others ...Respondents

**WITH
WRIT PETITION NO. 3240 OF 2022**

Gopal Prasad Agrawal ...Petitioner
Versus
Indian Bank And 6 Ors ...Respondents

Mandlik And Partners

Mr. Sachin Mandlik a/w. Ms. Kareena Tahliramani i/b Mandlik
And Partners for Petitioner.

Mr. Nishit Dhruva a/w. Prakash Shinde, Ms. Niyati Merchant,
Mr. Harsh Sheth i/b. MDP and Partners for Respondent No.1

Mr. Trushar Bhavsar i/b. Nivedita Mullevpattan, Mis Simran
Mehta i/b M/s. Volant Legal for Respondent No. 3.

Mr. Pradeep Bakhru a/w Nikhil Gupta i/b. Wadia Ghandy & Co.
for Respondent No. 4.

Mr. Sunilkumar Pillai, Ms. Tanvi Parmar i/b. MLS Vani &
Associates for Respondent No. 5.

Ms. Amrita Dubey, Mr. Devdatta Uchil i/b. Vertices Partners
for Respondent No. 6.

Mr. Graham Francis i/b Abhiraj Parab for Respondent No. 7.

**CORAM : S.V. GANGAPURWALA &
R.N. LADDHA, J.J.**

DATED : 14th OCTOBER, 2022

P.C. :-

1. We have heard learned Counsel for the Petitioner and
learned Counsel for Respondent-Bank. Amongst the other

YUGANDHARA
SHARAD
PATIL

Digitally signed by
YUGANDHARA
SHARAD PATIL
Date: 2022.10.17
15:58:59 +0530

submissions, one of the submission of learned Counsel for the Petitioner is that the Petitioner was not served with the copy of the order passed by the Willful Defaulter Committee/ Identification Committee. In absence thereof, the Review Committee has also passed order.

2. Learned Counsel for the Petitioner also submits that documents were also not provided to the Petitioner.

3. Learned Counsel for the Respondent-Bank, on instructions, accepts that the copy of the order of Willful Defaulter Committee was never provided to the Petitioner. Learned Counsel further submits that whatever documents the bank has relied upon are filed with the Affidavit-in-Reply in the present Petition. If there are any other documents on which the bank relies upon, the Bank may take decision about providing the said documents to the Petitioner as may be permissible.

4. In light of that, impugned order passed by the Review Committee is quashed and set aside.

5. The Petitioner may approach Review Committee within 15 days from today. The Review Committee, shall thereafter, decide the proceedings in accordance with law.

6. All contentions of the Petitioner regarding applicability of the master circular and non observations of principles of natural justice are kept open.

7. The consequences of setting aside of the order of Review Committee shall follow.

8. The Writ Petition is disposed of. No costs.

(R.N.LADDHA, J.)

(S.V. GANGAPURWALA, J.)