

SANJAY GUPTA

... Petitioner

Versus

RESERVE BANK OF INDIA AND ANOTHER

... Respondents

CORAM: **HON'BLE MR. JUSTICE M.S. RAMACHANDRA RAO,**
HON'BLE MRS. JUSTICE SUKHVINDER KAUR.

Present: Ms. Kriti S. Avasthi, Advocate and
Mr. Puneet Gupta, Advocate for the petitioner.

M.S. RAMACHANDRA RAO, J. (ORAL)

Notice of motion.

Mr. Gaurav Goel, Advocate accepts notice on behalf of
respondent No.2.

Heard both sides.

It is the contention of the counsel for the petitioner that the
petitioner had given a detailed representation on 06.04.2022 (Annexure P-
10) in response to the order dated 07.01.2022 of the willful Defaulters
Identification Committee of the respondent-Bank and that the same has not
been considered by the respondent-Bank while passing the order dated
04.05.2022 (Review Committee Decision).

Though counsel for the respondent-Bank contends that the such
a response was never received by the Review Committee of the respondent-
Bank, having regard to the seriousness of the consequences which flow out
of a declaration that a guarantor is “willful defaulter”, we set aside the order
dated 04.05.2022 passed by the Review Committee of the respondent-Bank,
permit the petitioner to file a representation taking all necessary pleas to the

decision of the Identification Committee taken on 07.01.2022 within three weeks from today, and we direct the Review Committee of the respondent-Bank to consider the same and pass orders in accordance with law and communicate to the petitioner within 08 weeks on the receipt of the petitioner's representation.

Accordingly, the present writ petition is disposed of.

(M.S. RAMACHANDRA RAO)
JUDGE

(SUKHVINDER KAUR)
JUDGE

07.12.2022
Sonia

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No