

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2131 OF 2023

Shri Kapil Purohit s/o Prem Kumar Purohit ... Petitioner

V/s.

Union of India and ors. ... Respondents

Mr.Brijesh Pathak, Advocate for the Petitioner.

Mr.Jitendra Mishra with Mr.Satyaprakash Sharma, Advocates for Respondents No.1 and 2.

**CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.
DATE : 22 FEBRUARY 2023.**

P.C.:-

1. By this petition, the Petitioner has sought the following prayer :

“That this Hon’ble court may be pleased to issue writ in the nature of certiorari or any other appropriate writ or order thereby directing the Respondents No.2 and 3 to restore the operation in the Account No.200001158834 in the name of Kashiva Exports, held with 3rd Respondent.”

2. The learned counsel for the Petitioner states that the aforesaid bank account has been frozen by the Respondent No.3. As the communication issued by the Bank to the Petitioner dated 23 August 2020 would indicate that the account was frozen because action pending against one Shubh Trading Company. The bank account of

Shubh Trading Company was frozen by order dated 19 August 2020 and by order dated 4 October 2022, the action of freezing the account of Shubh Trading Company was withdrawn by Respondent No.3. The learned counsel for the Respondents No.1 and 2 points out that instructions have been taken in light of the withdrawal of the freezing of the bank account of Shubh Trading Company, that consequent action of withdrawal of freezing of the bank account of Kashiva Exports has been taken as this order has also elapsed by efflux of time. The grievance of the Petitioner is that like the specific order as has been passed in case of Shubh Trading Company it should be passed in Kashiva Exports without which the bank is not allowing the Petitioner to operate the account.

3. None appears for the Respondent No.3-Bank. We deem it appropriate that instead of issuing notice to bank to dispose of the writ petition, recording the above position and permitting to the Petitioner to place the copy of the order before the Respondent No.3-bank for necessary action.

4. Accordingly, we dispose the writ petition recording the above position with liberty to Petitioner to place the order before Respondent No.3 who will proceed to take necessary steps as indicated above.

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SOPARKAR
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(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)