

WPO No. 913 of 2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

SUSHILA DEVI AGARWAL AND ORS
VS
CANARA BANK & ORS.

BEFORE:

The Hon'ble JUSTICE AMRITA SINHA

Date : 5th November, 2024.

Appearance:
Mr. Ratul Das, Adv.
Mr. Debabrata Basu Ray, Adv.
...for the Petitioners.

Ms. Aparajita Rao, Adv.
...for Respondents.

1. The petitioners are aggrieved by the order passed by the Divisional Manager, Recovery Legal & Fraud Prevention Wing, Canara Bank on 22nd August, 2024 by which the petitioners have been declared as wilful defaulters.
2. It appears from the documents annexed to the writ petition that the extract of the order of the Committee was forwarded to the petitioners but not the entire order. Without the entire order being communicated to the petitioners, it may not be possible for them to challenge the same before the competent forum in the event they are aggrieved.
3. Petitioners further submit that the documents indicated in the show cause notice dated 30th May, 2024 have also not been supplied to the petitioners. According to the learned advocate representing the respondents, the petitioners never sought for the

documents as mentioned in the show cause notice and, accordingly, the said documents were not forwarded to the petitioners.

4. The respondent authority ought to have supplied the petitioners the entire order sheet along with the supporting documents for the petitioners to agitate the issue before the competent forum.
5. The instant writ petition is disposed of by directing the respondent no.3 to forward the copy of the entire order by which the petitioners have been declared as wilful defaulters. The documents which the petitioners seek shall be intimated to the respondent no.3. The said respondent shall forward the necessary documents to the petitioners as sought for.
6. The respondent no.3 shall take steps in the matter at the earliest and will not take any adverse steps against the petitioners till the entire order sheet along with the documents sought for by the petitioners are supplied to them.
7. Affidavit of service filed in Court today is taken on record.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all legal formalities.

(AMRITA SINHA, J.)