
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1217 OF 2024

LAXMI
SUBHASH
SONTAKKE

Bharat Valia

.. Petitioner

Versus

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LAXMI SUBHASH
SONTAKKE
Date: 2024.09.24
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State Bank of India & Ors.

.. Respondents

Adv. Jaideep Singh Khattar a/w Rohit Balani i/b. The Fort Circle for the Petitioner.

Adv. Harihar Bhawe a/w Jaanam Bambori i/b. Bhawe & Co. for the Respondent No.1.

CORAM: B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE: SEPTEMBER 23, 2024

P. C.

1. The learned Counsel appearing for State Bank of India (SBI) states that State Bank of India has already reversed the classification of the Petitioner as a “Fraud” account as the Bank has realized that it has not followed the procedure as contemplated in the Master Circular of Reserve Bank of India dated 1st July, 2016 read with the decision of the Hon’ble Supreme Court in the case of *State Bank of India and Others Vs. Rajesh Agarwal and Others [(2023) 6 SCC 1]*.

2. Once this is the statement made, we find that the grievance raised in the above Writ Petition is duly redressed.

3. We make it clear that SBI is free to adopt fresh proceedings for declaring the Petitioner's account as a "Fraud" account by strictly following the Master Circular [on declaration of Fraud account] dated 15th July, 2024 read with the Judgment of the Honble Supreme Court in Rajesh Agarwal (*supra*).

4. The above Writ Petition is accordingly disposed of. No order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]