



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-14798-2024
Date of decision: 11.09.2024

HARIOM ENTERPRISES AND ANOTHERPetitioners

VERSUS

AXIS BANK LTD. AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Saurabh Savara, Advocate
for the petitioners.

Mr. Sandeep Suri, Advocate
for respondent No.1
(Through Video Conferencing)

Mr. Munish Yadav, Advocate
for respondent No.3.

Mr. Nitin Thatai, Advocate alongwith
Mr. Karan Sharma, Advocate
for respondent No.4.

Mr. Vipul Dharmani, Advocate
for respondent No.8.

Mr. Jatin Bansal, Advocate and
Ms. Keerti Sandhu, Advocate
for respondent No.9.

Mr. Abhishek Garg, Advocate
for respondent No.10.

Mr. Nakul Sharma, Advocate
for respondent No.12.

VINOD S. BHARDWAJ, J. (Oral)

The present writ petition had been filed for seeking

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issuance of directions to the respondents-Banks to decide the pending representation/Legal Notice dated 04.06.2024 (Annexure P-4 to P-16) for compliance of policy dated 17.03.2016 for the revival and rehabilitation of Micro, Small and Medium Enterprises issued by the Reserve Bank of India.

Learned counsel appearing on behalf of the petitioners contends that the Hon'ble Supreme Court has already held in a judgment that the classification of Micro Small and Medium Enterprise as a non-performing asset cannot be done except as per the procedure prescribed in law and that prior to the petitioner No.1 having been declared as a non-performing asset, it had already applied under the above said revival and rehabilitation policy issued by the Reserve Bank of India dated 17.03.2016. He contends that his limited grievance is only to the extent of directing the respondents to take a decision on the pending representation in accordance with law.

Mr. Munish Yadav, Advocate appears on behalf of respondent No.3, Mr. Nitin Thatai, Advocate alongwith Mr. Karan Sharma, Advocate appear on behalf of respondent No.4, Mr. Abhishek Garg, Advocate appears on behalf of respondent No.10, Mr. Vipul Dharmani, Advocate appears on behalf of respondent No.8 and Mr. Nakul Sharma, Advocate appears on behalf of respondent No.12 and they have filed their Vakalatnama as well as Memo of appearance respectively in the Court today which are taken on record.

Counsel appearing on behalf of the respondent-Banks



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contend that they would have no objection to taking a decision on the representation submitted by the petitioner.

Even though the service report of some of the respondents have not been received back and some of the Banks have not been served, however, in view of the order which this Court proposes to pass, effecting of service on the respondents may not be mandatory. The present writ petition is accordingly disposed of at this stage without commenting on the merits of the present case and in view of the consent given by the Counsel for the respective Banks appearing before this Court to decide the pending representation/legal notice sent to them within a period of four months of a receipt of certified copy of this order, after granting of opportunity of hearing, if so advised, to the petitioner.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 11, 2024
Vishal sharma

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