

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19291-2022

Date of Decision: April 20, 2024

M/S ISHAN TEXTILES MILLS LTD. AND ORS. Petitioners

Versus

INDIAN BANK AND ANR. Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Vikas Bali, Advocate for the petitioners.

Mr. Rajiv Joshi, Advocate for the respondents.

LISA GILL, J.

1. Prayer in this writ petition is for quashing order dated 13.07.2022 (Annexure P32) passed by respondent No. 2 declaring petitioners to be willful defaulters.

2. Learned counsel for the respondents, on instructions from Mr. Nishant Shukla, AGM, SAM Branch, Sector 8, Chandigarh (present in Court) submits that this writ petition is rendered infructuous as it has been decided by respondent – Bank to withdraw order dated 27.04.2022 (copy of which is otherwise not on record) while reserving liberty to respondent – Bank to pass fresh order after affording opportunity of hearing to petitioners in accordance with law. Said decision, it is stated, has been taken at Administrative level, keeping in view the exigency of situation. Learned counsel for respondent – Bank submits that withdrawal of this order would not have any effect as such on the declaration of petitioners’ account as fraud. It is agreed that petitioners

alongwith any attending documents in order to present their case pursuant to show cause notice dated 03.10.2017, shall remain present before Wilful Defaulter Screening Committee of the Bank on the date so fixed and as intimated to them and not seek any adjournment for any reason whatsoever. It is further agreed that due courtesies shall be maintained by petitioners during meeting and there would not be show of any aggression. Said withdrawal, it is agreed, shall not be taken to be acceptance by the Bank of any allegations or averments as are contained in this writ petition.

3. Keeping in view facts and circumstances as above, writ petition is disposed of, accordingly, as infructuous without expression of opinion on the merits of matter.

(LISA GILL)
JUDGE

April 20, 2024
rts

(AMARJOT BHATTI)
JUDGE

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