

26-08-2025
Item No.53
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.11020 of 2025
Anurag Kedia
-vs-
Reserve Bank of India & Ors.
with
CAN No.1 of 2025

Mr. Sankarsan Sarkar
Ms. Akansha Chopra
Ms. Ankita Sikdar ...for the petitioner

Mr. Debabrata Das
Mr. A. Sarkar
Mr. Pratik Acharjee ...for RBI

Mr. Sailendra Kumar Tiwari
Mr. Shambhu Mahato
Ms. Muskan Jalan ...for PNB

1. The petitioner is aggrieved by the constitution of the Identification Committee who declared the petitioner as willful defaulter. Specific stand of the petitioner is that the same is contrary to the Reserve Bank of India Directions, 2021.
2. Specific submission is that the order passed by the Identification Committee is wholly without jurisdiction.
3. It appears that the Identification Committee's order for willful default dated March 24, 2025 is impugned in this writ petition. The Committee has mentioned in the impugned order that it will be open for the petitioner to make written representation against its order before the Review Committee. The petitioner at that stage

approached this Court by filing the instant writ petition. The bank was directed to file an affidavit.

4. Punjab National Bank has filed an affidavit today. The petitioner intends to file a reply to the same.
5. However, upon perusal of the documents it appears that the Review Committee had given an opportunity to the petitioner to make submission against the order of the Identification Committee.
6. It also appears that the writ petition was filed on May 15, 2025, that is long after the time period to approach the Review Committee elapsed. The petitioner has not availed of the opportunity to approach the Review Committee within the stipulated time period.
7. Learned counsel for Punjab National Bank submits that notice for rescheduling the personal hearing on August 4, 2025 was intimated to the petitioner by the bank. Learned counsel for the petitioner submits that the petitioner attended the personal hearing on August 4, 2025, but the petitioner is not aware of any order being passed by the Review Committee.
8. Be that as it may, as the order of the Identification Committee is always subject to the order passed by the Review Committee, accordingly, the Court intends to dispose of the writ petition by passing the following direction.
9. The Review Committee is directed to afford opportunity of hearing to the petitioner to submit representation and thereafter provide the petitioner an opportunity of personal hearing.
10. If the petitioner files such representation before the Review Committee by September 4, 2025, then the Review Committee shall consider and

dispose of the same after giving personal hearing to the petitioner at the earliest.

11. The writ petition stands disposed of.
12. Consequentially, the connected application being CAN No.1 of 2025 also stands disposed of.
13. The allegations made by the bank in its opposition are deemed not to have been admitted by the petitioner.
14. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
15. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]