

ML 32
05.05.2025
d.p.

**In The High Court At Calcutta
Constitution Writ Jurisdiction
Appellate Side**

W.P.A. 17262 of 2024

**Anand Gupta & Anr.
-versus
Punjab National Bank & Ors.**

**Mr. R. Chowdhury,
Mr. D.N. Maiti,
Mr. A. Singh.
...For the Petitioners.**

**Ms. Parna Roy Choudhury.
...For the Bank.**

**Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee.
...For the Respondent No.3.**

**Mr. Amar Singh,
Ms. Tutul Das,
Mr. Ranjit Singh,
Mr. Ratul Deb Banerjee,
Ms. Puja Banerjee.
...For the Respondent No.2.**

1. The petitioners obtained a loan from the Piramal Capital and Housing Finance, earlier known as Dewan Housing Finance Corporation Limited.

2. The petitioners assert that the loan is being repaid on regular basis without any delay or default. Because of the delay on the part of the finance company to pay the due amount to the Punjab National Bank, the CIBIL score of the petitioners is shown as low.

3. The communication made by the Bank to the petitioners dated 16th April, 2024 clearly mentions

that the CIBIL score has been affected because the finance company collects the EMI and remits 50% share of EMI after a gap of one month. For rectification of the CIBIL score of the petitioners, remedial steps are required to be taken by the finance company.

4. Learned advocate appearing on behalf of the finance company submits that the writ petition will not be maintainable against it.

5. It appears that there is a dispute between the petitioners and the finance company. Neither the Bank nor the CIBIL authority has any role to play in the matter. The finance company being a private entity, writ petition against the same will not be maintainable.

6. In view of the above, the Court is not inclined to exercise jurisdiction in the matter.

7. The writ petition fails and is hereby dismissed.

8. Dismissal of the writ petition will, however, not stand in the way of the petitioners to take steps against the alleging erring respondent before the competent forum in accordance with law, if so advised.

9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)