

S/L 5
10.12.2025
Court. No. 25
sourav

WPA 25064 of 2025

**Preeti Agarwal & Anr.
Vs.
The State of West Bengal & Ors.**

*Mr. Mayukh Mukherjee
Mr. Uday Sharma
Mr. Kunal Sarogi
Ms. Sarmistha Basak*

...for the petitioners.

*Mr. Swapan Kr. Dutta, Ld. GP
Mr. Rajat Dutta
Mr. Tapas Kr. Dey*

...for the State.

Ms. Suchishmita Ghosh

...for the respondent no. 4.

1. The petitioners are aggrieved with the action of the Axis Bank on the ground that on the basis of the complaint of one of the partners of the partnership company, the Axis Bank has freezed the account of the partnership company and when the petitioners have made a request to the Axis Bank, the Axis Bank has not defreezed the said account. Accordingly, the petitioners filed the present writ application. In spite of receipt of notices of Axis Bank is not appearing before this Court.
2. The matter was taken up for hearing on November 12, 2025, this Court was of the view that one opportunity is to be given to the Bank and accordingly, the petitioners were directed to issue notice upon the Bank. The petitioners have issued the notice upon the Bank but in spite of the receipt of the notice, none appears on behalf of the Bank.

3. This Court finds that the private respondent had initiated a proceeding under Section 9 of the Arbitration and Conciliation Act against the petitioners before the learned District Judge, Alipore but subsequently, the application was dismissed for default by an order dated 26.11.2025. In the meantime, the private respondent has also initiated a case against the petitioners, wherein the petitioners were arrested and subsequently the petitioners have been released on bail.
4. Today when the matter is called, the petitioners have handed over a memorandum of understanding entered between the petitioners and the partner i.e., the respondent no. 6 dated December 3, 2025. In the memorandum of understanding, it was agreed between the parties that the disputes between the parties has been settled.
5. The learned counsel for the RBI submits that the Bank has not made any response to the RBI with regard to the freezing of the account of the petitioner.
6. Heard the learned counsel for the respective parties.
7. This Court finds that on the basis of the complaint of the respondent no. 6, the Bank has freezed the account of the petitioners. Now the petitioners and the respondent no. 6 have settled their disputes. The Bank has also not come forward before this Court with any report that the account of the petitioners has been freezed by an order of any Court.
8. In view of the above, the Bank is directed to defreeze the account of the petitioners being account no.

921020016615432 and to allow the petitioners to operate the said bank account.

9. Accordingly, **WPA 25064 of 2025** is disposed of.
10. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Krishna Rao, J.)