<u>IN THE HIGH COURT OF JUDICATURE AT BOMBAY</u>
<u>NAGPUR BENCH, NAGPUR</u>.

<u>CIVIL APPLICATION (CAW) NO. 2144 OF 2025</u>
<u>IN</u>
<u>WRIT PETITION NO. 5098 OF 2025</u>

Manoj Kumar Jayaswal & Ors.
Vs.
State Bank of India

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders.	Court's or Judge's orders.

Mr. Devendra V. Chauhan, Senior Advocate a/b. Mr. C.S. Dhore, Advocate for the Applicants/Petitioners.

<u>CORAM</u> : <u>SMT. M.S. JAWALKAR AND</u>
<u>RAJ D. WAKODE, JJ.</u>

<u>DATE</u> : <u>13th OCTOBER, 2025.</u>

Heard Mr. D.V. Chauhan, learned Senior Counsel for the petitioners.

2. The petitioners have filed the present application seeking amendment to the writ petition by raising certain additional grounds.

3. Since the notices are not yet issued to the respondent, no prejudice would be caused to the respondent if the aforesaid application is allowed.

4. Accordingly, the application is allowed. The petitioners to carry out the amendment within two days.

5. The application is accordingly disposed of.

<u>WRIT PETITION NO. 5098/2025</u>

6. Heard Mr. D.V. Chauhan, learned Senior Counsel for the petitioners.

7. The petitioners have approached this Court seeking challenge to the impugned proposed classification decision taken by the respondent – State Bank of India, treating the loan account of M/s. Corporate Ispat Alloys Limited as 'fraud', based on the Forensic Audit Report dated 23rd July 2018, prepared by M/s. Grant Thornton India LLP. The petitioners also seek challenge to the said Forensic Audit Report dated 23rd July 2018.

8. The contention of the petitioners is that the Forensic Audit Report, based on which the aforesaid impugned actions were initiated, was submitted by M/s. Grant Thornton India LLP on 23rd July 2018. The aforesaid report is at record page No.115. Mr. Chauhan, learned Senior Counsel, has drawn our attention to record page No.128, which contains the chapter concerning the limitations to scope of work, as well as the disclaimers mentioned therein.

9. A perusal of the aforesaid disclaimers reveals that the exercise of conducting the Forensic Audit of the Company, and the report submitted pursuant thereto, was intended for very restrictive use.

10. Mr. Chauhan, learned Senior Counsel, has also invited our attention to the objection raised by the petitioners regarding the appointment of M/s. Grant Thornton for conducting the aforesaid audit, on the ground of conflict of interest. The said objection, dated 1st February 2015, is at record page No.385. Mr. Chauhan, learned Senior Counsel, further submits that after the submission of the report on 23rd July 2018, the petitioners immediately approached the

respondent – State Bank of India and submitted a detailed objection on 9th July 2025, pointing out the grounds of challenge and requesting the Authorities not to take any adverse action against them. However, no decision was taken on the said objection, and the impugned action has been initiated against the petitioners.

11. In view of the above, issue notice to the respondent, returnable on 14th November, 2025.

12. In addition to the usual mode, the petitioners to serve the respondent by private mode.

13. In the meanwhile, the respondent – State Bank of India is directed not to use the aforesaid Forensic Audit Report dated 23rd July, 2018 against the petitioners before any other Authorities till the next date.

(RAJ D. WAKODE, J.) **(SMT. M.S. JAWALKAR, J.)**

Vijaykumar

Signed by: Mr. Vijay Kumar
Designation: PA To Honourable Judge
Date: 14/10/2025 19:42:03