



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

(101)

**CM-1426-CWP-2025 IN/AND
RA-CW-54-2025 IN
CWP No. 7790 of 2024
Date of Decision: 19.12.2025**

Sarwan Kumar Goyal and others

.....Applicants-Petitioners

Versus

Punjab National Bank and another

.....Respondents

**CORAM:HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MS. JUSTICE KIRTI SINGH**

Present: Mr. Aalok Jagga, Advocate and
Mr. Harkirat Singh Jagdev, Advocate
for the applicants-petitioners.

Mr. Gaurav Goel, Advocate and
Mr. Tejinder Singh, Advocate
for the respondent-Bank.

KIRTI SINGH, J. (ORAL)

CM-1426-CWP-2025

1. This is an application under Section 5 of the Limitation Act seeking condonation of delay of 09 days in filing the present review application.

2. For the reasons mentioned in the application, the same is hereby allowed.

3. Delay of 09 days in filing the present review application is condoned.

RA-CW-54-2025



read with Section 151 CPC seeking review of the order dated 12.12.2024 (Annexure A-1) passed by this Court whereby the bunch of the petitions, including the present petition have been disposed of by way of the above common order, while relying upon the order dated 06.12.2024 (Annexure A-2) passed by the Hon'ble Supreme Court of India in *Special Leave Petition (Criminal) Diary No(s). 47572/2024*, titled as *Central Bureau of Investigation versus Navneet Gupta and others*.

2. Learned counsel for the applicants-petitioners submits that the applicants-petitioners are the Directors and/or Guarantors of the company M/s Goyal Agencies Private Limited, which in turn is the proprietor of the firm M/s Fairdeal Agencies, whose bank account has been classified as NPA on 24.1.2022. On the basis of an investigation/audit report, vide show cause notice dated 10.11.2023, the respondent-bank had sought response of the applicants-petitioners. In response to the said show cause notice, the applicants-petitioners submitted their reply dated 25.11.2023, stating also that no such investigation/audit report had been supplied to them. However, the respondent-bank did not consider the submissions of the applicants-petitioners, and in a mechanical manner issued the order dated 07.3.2024, whereby the account of the firm of the applicants-petitioners was classified as 'Fraud'. Subsequently, the applicants-petitioners filed the present petition challenging the above show cause notice dated 10.11.2023 and the subsequent order dated 07.3.2024, in light of the judgment passed by the Hon'ble Supreme Court of India titled as ***State Bank of India and others versus Rajesh Agarwal and others (2023) 6 SCC 1***. However, vide common order dated 12.12.2024, the present petition, along with an identical bunch of petitions, was disposed of while relying upon the order dated 06.12.2024



passed in ***Central Bureau of Investigation versus Navneet Gupta***'s case (supra). It has been contended that till date, no FIR has been registered against the applicants-petitioners. It is submitted that the case of the applicants-petitioners is on different footing, as the issue involved the present petition is whether the impugned show cause notice and the subsequent declaration of the applicants-petitioners' firm as 'Fraud' is in violation of the principles of natural justice. Thus, it is submitted that since the order dated 12.12.2024 does not apply to the fact of the present case, therefore, the same is required to be recalled.

3. *Per contra*, learned counsel for the respondent-bank opposes the present application.

4. Heard the contentions of the learned counsel for the parties.

5. After going through the case file, it transpires that vide common order dated 12.12.2024, a bunch of petitions were disposed of by this Court, whereby a challenge was laid to the show cause notice, which were issued prior to the passing of the judgment by the Apex Court in State Bank of India's case (supra) i.e. on 27.3.2023. However, in the present petition i.e. CWP No. 7790 of 2024 a challenge was laid to the subsequent show cause notice dated 10.11.2023. Therefore, the issue involved in the present petition is on different footing from the issue involved in other petitions, which were disposed of vide common order dated 12.12.2024.

6. In view of the above, this Court finds that since there is a palpable error in the order dated 12.12.2024 qua CWP-7790-2024, therefore, RA-CWP-54-2025 stands allowed.

7. Order dated 12.12.2024 is recalled qua CWP-7790-2024.

8. CWP-7790-2024 is restored to its original number.



9. List as per roster.

**(KIRTI SINGH)
JUDGE**

**(SHEEL NAGU)
CHIEF JUSTICE**

December 19, 2025
Gurpreet Singh

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