



**CM-13829-CWP-2025; CM-13830-CWP-2025
in/and CWP-21836-2024 (O&M)**

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

**CM-13829-CWP-2025;
CM-13830-CWP-2025 in/and
CWP-21836-2024 (O&M)
Date of decision: 23.09.2025**

**M/S NORTH AGRO INDUSTRIES PVT LTD AND OTHERS
....PETITIONERS**

Versus

PUNJAB AND SIND BANK

...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: - Mr. Aalok Jagga, Advocate;
Mr. Harkirat S. Jagdev, Advocate and
Mr. Sahil Lohan, Advocate for the petitioners.

Mr. Anant Bir Singh Sidhu, Advocate
for the respondent (through Video Conferencing).

SHEEL NAGU, C.J. (Oral)

CM-13829-CWP-2025

The instant application under Section 151 CPC has been filed for preponement of the date of hearing of main i.e. CWP-21836-2024 from 17.11.2025 to some earlier date.

2. Heard.

3. Keeping in view the averments made in the application, the same is allowed and the main case i.e. CWP-21836-2024 is ordered to be taken on Board today itself.

4. Application stands disposed of.

MAIN CASE

The challenge in this petition is to non-affording of opportunity to the petitioner before declaring the accounts of petitioner as fraud by order

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dated 01.08.2024 (Annexure P-7). For this purpose reliance is placed on the decision of Apex Court in case of ‘*State Bank of India Versus Rajesh Aggarwal*’, 2023 (6) SCC 1.

2. Learned counsel for the respondent-Bank, at the very outset, fairly submits that the show cause notice dated 05.02.2024 was issued but there is no effective service on the petitioner.

3. In view of the fair submission made by learned counsel for the respondent-Bank, this Court need not enter into the prolixity of adjudicating other grounds raised in this petition.

4. On the short point of denial of reasonable opportunity of being heard, this Court deems it appropriate to allow this petition and set aside the impugned order dated 01.08.2024 (Annexure P-7) passed by Zonal Manager, Patiala, Punjab & Sind Bank, while affording liberty to the respondent-bank to serve the show cause notice to the petitioner and thereafter pass a speaking order in accordance with law.

5. The consequential action vide letter dated 05.08.2024 (Annexure P-8) shall also pave the way of extinction.

6. Pending application, including CM-13830-CWP-2025, also stands disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

23.09.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |