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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 12048/2025 and CM APPL. 49225/2025

**BHAGWATI RICE MILL PRIVATE LIMITED
& ORS.**

.....Petitioners

Through: Mr. Sanjeev Bhandari, Mr. Amit
Dhall and Mr. Rajat Srivastava, Advocates.

versus

PUNJAB NATIONAL BANK & ORS.

.....Respondents

Through: Mr. Santosh Kr. Rout, Standing
Counsel for PNB.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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12.08.2025

CM APPL. 49226/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 12048/2025

3. The petitioner is company whose account was classified as 'fraud' by the respondent/Punjab National Bank (PNB), and the petitioner nos. 2 and 3, are its Directors & Guarantors.
4. In the present petition, essentially the challenge is to the impugned order dated 26.06.2025, whereby the account of the petitioner was declared as 'fraud' and the petitioner nos. 2 and 3 were also held responsible for the same. The said order was communicated to the petitioner under the cover of respondent's letter dated 09.07.2025.



5. The only ground on which the challenge has been laid to the impugned order is that the same has been passed in violation of principles of natural justice.
6. Elaborating the above ground, Mr. Sanjeev Bhandari submits that respondent Bank had fixed the personal hearing on 18.06.2025. However, the son of petitioner no.2 had intimated the respondent Bank that the petitioner no.2 has been admitted in Medanta Hospital, Gurgaon on 17.06.2025 and in this backdrop, request was made by him to the respondent Bank to provide link to enable petitioner no.2 to join the personal hearing proceedings online.
7. He submits that the said request was not acceded to by respondent bank and no such link was provided, rather the respondent Bank went ahead and passed the impugned order dated 26.06.2025.
8. To buttress his contention, Mr. Bhandari has invited attention of the Court to the discharge summary of Medanta Hospital wherefrom it is borne out that petitioner no.2 namely, Mohan Lal Goyal was admitted in the said hospital on 17.06.2025 and was discharged on 18.06.2025.
9. He further submits that petitioner no.2 having undergone AVR surgery with pacemaker implantation cannot appear physically.
10. On the other hand, Mr. Santosh Kumar Rout, the learned standing counsel for the respondent/PNB submits that even prior to 18.06.2025 as well, opportunity of personal hearing was given to the petitioner no.2.
11. Be that as it may, this Court finds that when personal hearing was fixed on 18.06.2025, a day prior thereto i.e. on 17.06.2025, the petitioner was admitted in Medanta Hospital, therefore, it was not possible for him to appear physically in the personal hearing.



12. In the above backdrop, the son of petitioner no.2 vide mail dated 14.06.2025 had requested the respondent/PNB to provide link for video conferencing so as to enable the petitioner no.2 to join the personal hearing through online mode, but it seems the said request was not considered by respondent/PNB. This factual position has not been disputed by the respondent/PNB.

13. In that view of the matter, this Court is of the view that no meaningful opportunity of personal hearing has been afforded to petitioners.

14. Accordingly, impugned order dated 26.06.2025 is set aside. The respondent Bank is directed to give two weeks clear notice to petitioner fixing any date for personal hearing. Having regard to the medical condition of petitioner no.2 articulated by Mr. Bhandari, let such personal hearing be conducted through video conferencing. The link of such video conferencing shall be shared by the respondent/PNB with petitioner no.2 on his e-mail ID ujjwalSMARTgoyal@gmail.com as well as on his mobile number 9837072879.

15. It is made clear that petitioners will not seek any further adjournment of personal hearing.

16. After affording personal hearing, the respondent/PNB may pass an order in accordance with law.

17. The contentions raised by petitioners in the present petition on merits of the case are left open.

18. The petition alongwith pending applications, if any, stand disposed of.

VIKAS MAHAJAN, J

AUGUST 12, 2025/jg