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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

APOT/90/2026
IA GA 1 of 2026
MR. GOKUL CHAND AGARWAL
VS
RESERVE BANK OF INDIA AND OTHERS

BEFORE:

The Hon'ble JUSTICE SHAMPA SARKAR

The Hon'ble JUSTICE AJAY KUMAR GUPTA

Date: 20th May, 2026.

Appearance:
Mr. Sabyasachi Chowdhury, Sr.Adv.
Mr. Rajarshi Dutta, Adv.
Mr. Piyush Agarwal, Adv.
Mr. Shrivalli Kajaria, Adv.
...for the appellant
Mr. Krishnaraj Thaker, Adv.
Ms. Suchishmita Ghosh, Adv.
Mr. Malay Seal, Adv.
Mr. Rohan Thakur, Adv.
Ms. Aradhita Banerjee, Adv.
...for the respondent

The Court : The appeal arises out of the order dated May 13, 2026, passed by a learned Judge who was dealing with urgent matters of the list and determination of the regular Bench taking up Group IX matters. The regular Bench is in Circuit.

Mr. Chowdhury, learned senior advocate submits that the matter appeared before the Learned Judge, but His Lordship directed the matter to appear before the regular Bench. The urgency for an interim protection, was not properly appreciated. Mr. Chowdhury requests this Bench to take up the matter, by treating the matter as an appeal from an order of refusal of interim protection.

Mr. Thaker, learned senior advocate for the bank submits that the Writ Court has not even entertained the writ petition. The writ petition has not been moved. As such, it would not be proper for the Division Bench to act as the Court of first instance.

We appreciate the dilemma and anxiety of the appellants. The consequence of the order under challenge in the writ petition, has far reaching effect.

However, it will not be proper to entertain the appeal when the writ petition was not moved. We dispose of the appeal and application, leaving it open to the appellant to take appropriate steps for urgent hearing of the matter.

Supplementary affidavit filed in Court is taken on record.

(SHAMPA SARKAR, J.)

(AJAY KUMAR GUPTA, J.)

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