

OD-2

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/245/2026

HALDIA WATER SERVICES PRIVATE LIMITED AND ORS.
VS
UNION BANK OF INDIA AND ANR.

BEFORE:

The Hon'ble JUSTICE GAURANG KANTH

Date : 19th May, 2026.

Appearance:

Mr. Anirban Ray, Sr. Adv.
Mr. Rajarshi Dutta, Adv.
Mr. Rajarshi Banerjee, Adv.
Mr. Kaustov De Sarkar, Adv.
...for the petitioners

Mr. Dipanjan Datta, Adv.
Mr. Subhajit Chowdhury, Adv.
...for the Union Bank of India respondent

The Court: The petitioners have preferred the present petition, *inter alia*, praying for issuance of a writ of mandamus commanding the respondent no.2 to forthwith take necessary steps to defreeze the current account no. 301301010037231 maintained by the petitioner no.1 company. The petitioners have further prayed for an order restraining the respondents from taking any steps or decision resulting in the freezing of the aforesaid current account maintained by the petitioner no.1 company.

Learned Counsel for the petitioner submits that the petitioner no.1 is a company engaged in the business of water management providing advanced water treatment and water purification plants to its customers.

Petitioner nos.2 to 4 are the Directors of petitioner no.1 company. The petitioner no.1 maintains the aforesaid current account along with certain term deposits with the respondent no.1 bank on commercial terms for the purpose of facilitating its day-to-day business operations. It is submitted that pursuant to a resolution passed at the Extraordinary General Meeting (EOGM) held on 18.11.2025, the petitioner nos. 2 to 4 were inducted as new directors of the petitioner no.1 company. Upon the new management taking charge and with a view to prevent any unauthorised operation of the aforesaid current account, the petitioner no.3 vide e-mail dated 25.11.2025, instructed the respondent bank to place a debit freeze on the account of the petitioner no.1 company with immediate effect. It is stated by the learned Counsel for the petitioner that in terms of the aforesaid instruction, the respondents imposed a debit freeze on the account of the petitioner no.1 company. Subsequently, at a meeting of the Board of Directors held on 24.12.2025, a resolution was passed authorising petitioner nos. 2 to 4, being the directors of the company to operate the current account maintained with the respondent no.1 bank. Thereafter, vide communication dated 30.12.2025, the petitioner informed the respondent bank regarding the change of management and submitted the revised authorisation and requested respondent no.1 bank to permit the authorised signatories to operate the current account. Learned Counsel for the petitioners states that no action has yet been taken by the respondent bank in this regard.

Learned Counsel for the respondents appears and states that the respondent has replied to the legal notice issued by the petitioner dated 19.03.2026 vide their reply dated 03.04.2026 wherein it has been

categorically mentioned that *“in absence of clear and updated MCA data, and in light of continuing contradictory claims, the Bank cannot be compelled to act upon unilateral or uncontested claims.”*

From the records it is evident that since the bank is relying upon the proper updation and reflection of the current management and authorised signatory in the MCA records, it is necessary to implead the Registrar of Companies (ROC)/MCA as a party respondent to the present proceeding.

Learned Counsel for the petitioners seeks and is granted liberty to add Registrar of Companies (ROC) as a party respondent to the present writ proceedings.

The petitioner shall take necessary steps in this regard.

It is submitted by the learned Senior Counsel for the petitioners, Mr. Ray, that upon addition of the Registrar of Companies (ROC) as a party to the present proceeding, the matter would be listed on the Appellate Side.

Accordingly, let the present matter be converted into an Appellate Side matter.

The Registry is directed to do the needful.

Let this matter be listed on 21st May, 2026 on the Appellate Side.

(GAURANG KANTH, J.)