



Order Sheet

WPC No. 1663 of 2020**Ramdeen Jaiswal Vs. State of Chhattisgarh & Ors.**

30.07.2020	<p>Shri Ratnesh Agrawal, Advocate for the petitioner.</p> <p>Heard.</p> <p>Admit.</p> <p>Ms. Sunita Jain, Govt. Advocate accepts notice on behalf of Respondents No.1 to 3 and Shri Jitendra Shrivastava, Advocate, assisting Shri Prafull Bharat, Advocate, accepts notice on behalf of respondents No.4&5.</p> <p>Since all the respondents are represented through their respective counsel, issuance of notice stands dispensed with.</p> <p>Let reply be filed within a period four weeks and the matter be listed immediately after the reply is filed.</p> <p>Also heard on IA No.1 which is an application for grant of interim relief.</p> <p>The counsel for the petitioner submits that after the disposal of the bunch of writ petitions on 17.07.2020, the lead case being WPC No.1397 of 2020, in which the present petitioner also filed a Writ Petition bearing registration No. WPC No.1541 of 2020, the petitioner had submitted their response on 24.07.2020 to the Bank supported with all relevant documents and records contending that they have not committed any foul play or fraud. That, the respondent No.2 now without scrutinizing the order passed by this court and without awaiting outcome of an enquiry which was directed to be conducted by this court, has issued the impugned order Annexure P/1 dated 25.07.2020, based upon which the respondent No.3 has issued Annexure P/2 dated 25.07.2020 taking co-ercive steps against the petitioner of both registering of an FIR and also for initiating recovery</p>



proceedings.

The learned counsel appearing for the respondents No.4&5-Bank submits that pursuant to the order passed by this court on 17.07.2020, the petitioner had approached the Bank on 24.07.2020 and have submitted their detailed records and documents and also their submissions and the Bank is in the process of an enquiry to ascertain whether the petitioner is at fault or not.

Given the said submissions by the learned counsel for the Bank, prima facie this court is of the opinion that the orders Annexure P/1 & P/2 seems to have been issued ignoring the directives given by this court on 17.07.2020 in the bunch of writ petitions and also seems to have been issued without awaiting the outcome of the enquiry which has been initiated by the respondents No.4&5-Bank.

In view of the same, as an interim measure, it is ordered that till the next date of hearing there shall be a stay of the effect and operation of the impugned orders Annexure P/1 & P/2 dated 25.07.2020.

List this case immediately after the reply of all the respondents are filed.

Certified copy today itself.

Sd/-
(P. Sam Koshy)
Judge