



\$~6, 7, 37 to 45, 48 to 58, 60, 62 to 71

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

+ **W.P.(C) 7233/2020 & CM APPL. 24431/2020**
SUNIL GUGLANI & ORS. Petitioners

versus

PUNJAB NATIONAL BANK & ORS. Respondents

(7) **W.P.(C) 8935/2020 & CM APPL. 28828/2020**
SUNIL GUGLANI & ORS. Petitioners

versus

RESERVE BANK OF INDIA & ORS. Respondents

(37) **CONT.CAS(C) 366/2020 & CM APPL. 16271/2020**
APPLE NATURAL RESOURCES PVT LTD Petitioner

versus

S BAVANI SANKARAN & ORS. Respondents

(38) **W.P.(C) 306/2019, CM APPLs. 7039/2019, 52374/2019,**
52382/2019, 12568-12569/2020
APPLE SPONGE AND POWER LTD AND ORS Petitioners

versus

RESERVE BANK OF INDIA AND ANR Respondents

(39) **W.P.(C) 10968/2019 & CM APPL. 45285/2019**
APPLE NATURAL RESOURCES PVT. LTD. Petitioner

versus

RESERVE BANK OF INDIA AND ANR. Respondents

(40) **W.P.(C) 3183/2020 & CM APPL. 11064/2020**
RAMAN GUPTA & ANR. Petitioners

versus



- RESERVE BANK OF INDIA & ORS. Respondents
- (41) **W.P.(C) 3924/2020 & CM APPL. 14037/2020**
KANTA DEVI ARYA Petitioner
- versus
- RESERVE BANK OF INDIA & ORS. Respondents
- (42) **W.P.(C) 3991/2020 & CM APPL. 14319/2020**
MS SHREE NATHJEE ROLLER FLOUR
MILLS LIMITED & ORS. Petitioners
- versus
- RESERVE BANK OF INDIA & ORS. Respondents
- (43) **W.P.(C) 4050/2020 & CM APPL. 14510/2020**
SH S N JHUNJHUNWALA & ORS. Petitioners
- versus
- RESERVE BANK OF INDIA & ORS. Respondents
- (44) **W.P.(C) 4249/2020 & CM APPLs. 15300/2020 & CM APPLs. 31465-31466/2020**
GOODLUCK CARBON PVT LIMITED Petitioner
- versus
- RESERVE BANK OF INDIA & ANR. Respondents
- (45) **W.P.(C) 4317/2020 & CM APPL. 15557/2020**
NARESH KUMAR MITTAL AND ANR Petitioners
- versus
- RESERVE BANK OF INDIA AND ORS Respondents
- (48) **W.P.(C) 5087/2020**
SHAKTI NATH & ORS. Petitioner



- versus
RESERVE BANK OF INDIA & ANR. Respondents
- (49) **W.P.(C) 5178/2020 & CM APPL. 18638/2020**
RELIANCE COMMERCIAL FINANCE
LIMITED & ANR. Petitioners
- versus
PUNJAB NATIONAL BANK & ANR. Respondents
- (50) **W.P.(C) 5185/2020 & CM APPL. 18695/2020**
RELIANCE HOME FINANCE LIMITED & ANR. Petitioners
- versus
PUNJAB NATIONAL BANK & ANR. Respondents
- (51) **W.P.(C) 5280/2020 & CM APPLs. 19027/2020, 28218/2020**
RELIANCE HOME FINANCE LIMITED & ANR. Petitioners
- versus
BANK OF BARODA & ANR. Respondents
- (52) **W.P.(C) 5281/2020 & CM APPLs. 19037/2020, 28239/2020**
RELIANCE COMMERCIAL FINANCE
LIMITED & ANR. Petitioners
- versus
BANK OF BARODA & ANR. Respondents
- (53) **W.P.(C) 5555/2020 & CM APPL. 20054/2020**
JAGAT AGRO COMMODITIES PVT. LTD. Petitioner
- versus
RESERVE BANK OF INDIA & ORS. Respondents
- (54) **W.P.(C) 5729/2020 & CM APPLs. 20700/2020, 20704/2020**
SH LAGADAPATI MADHUSUDAN



- RAO & ANR. Petitioners
- versus
- IDBI BANK LIMITED & ORS. Respondents
- (55) **W.P.(C) 5749/2020 & CM APPL. 20791/2020**
VIPUL MITTAL Petitioner
- versus
- RESERVE BANK OF INDIA & ORS Respondents
- (56) **W.P.(C) 5750/2020 & CM APPLs. 20793/2020, 20796/2020**
SINTEX BAPL LIMITED & ORS. Petitioners
- versus
- BANK OF BARODA & ANR. Respondents
- (57) **W.P.(C) 6033/2020 & CM APPL. 21686/2020**
SINTEX BAPL LIMITED AND ORS Petitioners
- versus
- STATE BANK OF INDIA & ANR. Respondents
- (58) **W.P.(C) 6763/2020 & CM APPL. 23471/2020**
MOHINDER JAIN Petitioner
- versus
- THE RESERVE BANK OF INDIA & ORS. Respondents
- (60) **W.P.(C) 7454/2020 & CM APPL. 24894/2020**
HEM SINGH BHARANA Petitioner
- versus
- RESERVE BANK OF INDIA & ORS. Respondents
- (62) **W.P.(C) 7765/2020 & CM APPL. 25584/2020**
MR RADHA KRISHNA PANDEY Petitioner
- versus
- RESERVE BANK OF INDIA & ORS. Respondents



- (63) **W.P.(C) 7825/2020 & CM APPLs. 25700/2020, 34432/2020, 1275/2020, 2118/2021**
SINTEX INDUSTRIES LIMITED & ORS. Petitioners
versus
RESERVE BANK OF INDIA & ORS. Respondents
- (64) **W.P.(C) 8906/2020 & CM APPL. 28697/2020**
RELIANCE HOME FINANCE LIMITED & ANR. Petitioners
versus
INDIAN BANK & ORS. Respondents
- (65) **W.P.(C) 8907/2020 & CM APPL. 28700/2020**
RELIANCE COMMERCIAL FINANCE
LIMITED. & ANR. Petitioners
versus
STATE BANK OF INDIA & ORS. Respondents
- (66) **W.P.(C) 10064/2020 & CM APPL. 32038/2020**
ACCURATE INSTITUTE OF MANAGEMENT
AND TECHNOLOGY & ORS. Petitioners
versus
RESERVE BANK OF INDIA & ANR. Respondents
- (67) **W.P.(C) 10138/2020 & CM APPL. 32290/2020**
M/S MODERN INSTRUMENTS
PVT. LTD. & ANR. Petitioners
versus
RESERVE BANK OF INDIA & ORS. Respondents
- (68) **W.P.(C) 10522/2020 & CM APPL. 33284/2020**
RELIANCE HOME FINANCE LIMITED & ANR. Petitioners
versus



HDFC BANK & ANR.

..... Respondents

(69) **W.P.(C) 11179/2020 & CM APPL. 34880/2020**

PUNIT GARG & ORS.

..... Petitioners

versus

STATE BANK OF INDIA & ORS.

..... Respondents

(70) **W.P.(C) 11216/2020 & CM APPL. 34993/2020**

PUNIT GARG & ANR.

..... Petitioners

versus

UNION BANK OF INDIA & ORS.

..... Respondents

(71) **W.P.(C) 275/2021 & CM APPL. 692/2021**

PUNIT GARG

..... Petitioner

versus

BANK OF MAHARASHTRA & ORS.

..... Respondents

Present:- **For Petitioners**

Mr.Rishi Agrawala, Mr.Karan Luthra & Ms.Niyati Kohli,
Advocates in Item Nos. 49, 50 to 52, 64, 65, 68 to 71.

Ms.Priyadarshini Verma, Ms.Aarohi Mikkilani &

Mr.Kaveesh Nair, Advocates in Item Nos. 41, 67.

Ms.Pratiti Rungta & Mr.Prashant Singh, Advocates in Item 45
& 55.

Mr.Vikas Walia, Advocate in Item No. 53.

Mr.Rajiv Singh, Ms.Srujana Suman Mund, Mr.Rishi Raj
Sharma & Mr.Harshal Kumar, Advocates in Item 58.

For Respondents

Mr.Rajiv Kapur & Mr.Akshit Kapur, Advocates for SBI in Item
Nos. 37, 38, 39, 43, 64, 65 & 69.

Mr.Nikhil Goel, SPP for CBI in Item 37.

Mr. Sanjeev Sabharwal, Senior Panel Counsel for UOI in Item
no. 42.

Mr.Dev P. Bhardwaj, CGSC for UOI in Item 43.



Mr.Arun Aggarwal & Ms.Ekjot Bhasin, Advocates for R-5/Bank of Baroda in Item 43 & for R-1 in Item no. 56.

Mr.Rajesh Kumar & Mr.Nipun Sharma, Advocates for R-6/Allahabad Bank in Item 43.

Mr.Vivek Jain, Ms.Ekta Khangawal & Mr.Akash Aggarwal, Advocates for R-10/PNB in Item 43.

Mr.Brijesh K. Tamber & Ms.Deepika Raghav, Advocates for R-3/Indian Bank in Item 45 & for R-2 in Item no. 48, R-1 in Item no. 64.

Mr.Amol Sharma, Adv. for R-6/HDFC in Item 45.

Mr.Rahul Adlakha, Mr.Abhishek Anand & Mr.Kunal Godhwani, Advocates for R-9 in Item 45.

Mr.Rajesh Kumar & Mr.Nipun Sharma, Advocates for R-1 in Item 49 & for R-2 in Item Nos. 50, 63.

Ms.Avni Sharma, Advocate for R-1/Bank of Baroda in Item 51 and item no. 52.

Mr.Nishant Awana & Mr.Devvrat, Advs. for R-6/Bank of Maharashtra in Item No. 54.

Mr.Vivek Jain, Ms.Ekta Khangawal & Mr.Akash Aggarwal, Advocates for R2 & R-4 in Item 62.

Mr.Aman Gandhi, Mr.Dharav Shah & Mr.Abhishek Sharma, Advocates for R-1/HDFC in Item 68.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.01.2021

CM APPL. 15302/2020 (exemption) in W.P.(C) 4249/2020

CM APPL. 15558/2020 (exemption) in W.P.(C) 4317/2020

CM APPLs. 20701-20703 (exemption) in W.P.(C) 5729/2020

CM APPLs. 20794-20795/2020 (exemption) in W.P.(C) 5750/2020

CM APPL. 23472/2020 (exemption) in W.P.(C) 6763/2020

CM APPL. 24895/2020 (exemption) in W.P.(C) 7454/2020

CM APPLs. 25701-25702/2020 (exemption) in W.P.(C) 7825/2020

CM APPL. 32291/2020 (exemption) in W.P.(C) 10138/2020

CM APPLs. 33285-33286/2020 (exemption) in W.P.(C) 10522/2020



CM APPLs. 693-694/2021 (exemption) in W.P.(C) 275/2021

Exemption allowed, subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 7233/2020 & CM APPL. 24431/2020,
W.P.(C) 8935/2020 & CM APPL. 28828/2020,
CONT.CAS(C) 366/2020 & CM APPL. 16271/2020
W.P.(C) 306/2019, CM APPLs. 7039/2019, 52374/2019, 52382/2019,
12568-12569/2020, W.P.(C) 10968/2019 & CM APPL. 45285/2019,
W.P.(C) 3183/2020 & CM APPL. 11064/2020,
W.P.(C) 3924/2020 & CM APPL. 14037/2020,
W.P.(C) 3991/2020 & CM APPL. 14319/2020,
W.P.(C) 4050/2020 & CM APPL. 14510/2020,
W.P.(C) 4249/2020 & CM APPLs. 15300/2020, CM APPLs. 31465-
31466/2020,
W.P.(C) 4317/2020 & CM APPL. 15557/2020,
W.P.(C) 5087/2020 & W.P.(C) 5178/2020 & CM APPL. 18638/2020,
W.P.(C) 5185/2020 & CM APPL. 18695/2020,
W.P.(C) 5280/2020 & CM APPLs. 19027/2020, 28218/2020,
W.P.(C) 5281/2020 & CM APPLs. 19037/2020, 28239/2020,
W.P.(C) 5555/2020 & CM APPL. 20054/2020,
W.P.(C) 5729/2020 & CM APPLs. 20700/2020, 20704/2020,
W.P.(C) 5749/2020 & CM APPL. 20791/2020,
W.P.(C) 5750/2020 & CM APPLs. 20793/2020, 20796/2020,
W.P.(C) 6033/2020 & CM APPL. 21686/2020,
W.P.(C) 6763/2020 & CM APPL. 23471/2020,
W.P.(C) 7454/2020 & CM APPL. 24894/2020,
W.P.(C) 7765/2020 & CM APPL. 25584/2020,
W.P.(C) 7825/2020 & CM APPLs. 25700/2020, 34432/2020,
1275/2020, 2118/2021,
W.P.(C) 8906/2020 & CM APPL. 28697/2020,
W.P.(C) 8907/2020 & CM APPL. 28700/2020,
W.P.(C) 10064/2020 & CM APPL. 32038/2020,
W.P.(C) 10138/2020 & CM APPL. 32290/2020,
W.P.(C) 10522/2020 & CM APPL. 33284/2020,
W.P.(C) 11179/2020 & CM APPL. 34880/2020,
W.P.(C) 11216/2020 & CM APPL. 34993/2020,



W.P.(C) 275/2021 & CM APPL. 692/2021,

1. This batch of matters concerns the validity of the Master Circular issued by the Reserve Bank of India [“RBI”] dated 01.07.2016, regarding classification of accounts by banks as fraud accounts. Several of these petitions have been listed before this bench, pursuant to an order of a Coordinate Bench dated 13.01.2021, releasing them from category of ‘part heard matters’.
2. Today, counsel in several matters have circulated requests for adjournment. I am informed that other matters involving the validity of the same Master Circular are scheduled to be listed on 25.03.2021. List these petitions for directions on 25.03.2021.
3. As the RBI is not represented today, issue Court notice to Mr. M.R. Ramesh Babu, learned Standing Counsel for the RBI, who is directed to ensure that the RBI is effectively represented on the next date of hearing.
4. In the meanwhile, learned counsel for the petitioners, learned counsel for the RBI, and learned counsel for the respondent/banks are requested to coordinate amongst themselves, so that a consolidated schedule of hearing can be formulated. Learned counsel will also attempt to prepare common written submissions to facilitate expeditious disposal of this batch of petitions.
5. Interim orders in these petitions, if any, will continue.

PRATEEK JALAN, J

JANUARY 21, 2021/‘pv’