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

+ **W.P.(C) 6219/2025**

M/S MODERN OVERSEAS PVT LTD & ORS. Petitioners

Through: **Mr. Rajat Srivastava, Adv.**
versus

BANK OF BARODA & ANR.

.....Respondents

Through: **Ms. Deboshree Saha and Mr. Kashish
Narang, Advs. for R-2.**

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **15.07.2025**

CM APPL. 28428/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

**W.P.(C) 6219/2025 & CM APPL. 28427/2025 (by petitioners under
Section 151 CPC seeking interim relief)**

3. The present petition has been filed seeking following reliefs:

- “(a) *Issue Appropriate Writ/Order/Direction for quashing the IMPUGNED COMMUNICATION/declaration DATED 13.02.2018 declaring Wilful defaulter and Issued by Respondent bank; and to*
- (b) *Issue Appropriate Writ/Order/Direction for quashing the Newspaper Publishing Pursuant to communication/declaration dated 13.02.2018, issued by Respondent bank; and to*
- (c) *Issue Appropriate Writ/Qrder/Direction to the Respondent bank to place on; record all those documents which are in their power and possession .and are the basis for issuing IMPUGNED., COMMUNICATION/declaration DATED 13.02.2018 13.02.2018 (Newspaper) and and along with a*



copies of orders passed by Committee of Executives and Review Committee;

(d) Issue Appropriate Writ/Order/Direction for quashing and setting aside the impugned communication/ Newspaper Publishing dated 13.02.2018, and all consequential and subsequent proceedings being violative of principles of natural justice.”

4. Mr. Rajat Srivastava, learned counsel appearing on behalf of petitioners submits that declaration of petitioners as ‘willful defaulter’ is violative of RBI’s Master Circular. He contends that no material or documents were provided to petitioners by respondent no.1 bank to justify the finding of willful defaulter.

5. He further contends that impugned order passed by respondent no.1 bank is also non-speaking and not supported by any evidence.

6. In view of the above, issue notice.

7. Ms. Deboshree Saha, learned counsel appearing on behalf of respondent no.2 accepts notice.

8. On petitioners taking steps, issue notice to respondent no.1 bank by all permissible modes.

9. Let counter-affidavit(s) be filed within a period of four weeks from the date of service.

10. Rejoinder thereto, if any, be filed within three weeks thereafter.

11. Re-notify on 10.11.2025.

VIKAS MAHAJAN, J

JULY 15, 2025

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