IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 5221 of 2026

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ARCHON POWERINFRA INDIA PRIVATE LIMITED
Versus
BANK OF MAHARASHTRA & ORS.

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Appearance:
MR PC KAVINA, SR. ADVOCATE WITH MR PRASHANTKUMAR R SHARMA(8591) for the Petitioner(s) No. 1
MR AMAR BHATT, SR. ADVOCATE WITH MR KUNAL P VAISHNAV(5111) for the Respondent(s) No. 5
MR LALIT M PATEL(2239) for the Respondent(s) No. 1
NOTICE SERVED BY DS for the Respondent(s) No. 2,3,4

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CORAM:**HONOURABLE MR. JUSTICE NIRAL R. MEHTA**

Date : 05/05/2026

ORAL ORDER

1. By way of the present petition under Article 226 of the Constitution of India, the petitioner has invoked the writ jurisdiction of this Hon'ble Court, inter alia, seeking a direction to defreeze and permit full operation of the petitioner's Current Bank Account No. 60462638428.

2. At the outset, it is pertinent to note that the petitioner had earlier approached this Hon'ble Court by filing Special Civil Application No. 3016 of 2026, wherein the petitioner had, inter alia, challenged the order dated 23rd January, 2026, as well as the subsequent modified order, whereby the petitioner's account came to be classified as a fraud account.

2.1 In the aforesaid petition, upon a statement made by the learned advocate appearing for the respondent Bank, this Hon'ble Court was pleased to pass the following order on 20th March, 2026:

> *"Learned advocate Mr. Lalit M. Patel for the Bank, under instructions, stated that the impugned order dated 23.01.2026, including the modified one, shall be withdrawn and the Bank will consider the issue a fresh from the stage of personal hearing and the same will be communicated by the Bank to the petitioner.*
>
> *Along with the communication, the Bank will also provide the forensic audit report to enable the petitioner to meet the same. On such statement being made by the learned Advocate for the petitioner, the petitioner does not press this petition. The present petition is accordingly disposed of.*
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> *It is needless to clarify that the Bank shall decide the issue in accordance with law and the petitioner shall co-operate in the proceedings and shall not take any undue adjournments."*

2.2 In view of the aforesaid order, it transpires that the status of the petitioner's account as a "fraud account" stands withdrawn, and the issue is required to be determined afresh after affording an opportunity of personal hearing to the petitioner and upon furnishing the forensic audit report. However, till date, no fresh adjudication appears to have been undertaken by the respondent Bank.

2.3 Thereafter, the petitioner is stated to have addressed communications to the Bank by way of emails dated 25th March, 2026 and 01st April, 2026, requesting for defreezing of the bank account. Surprisingly, the respondent Bank, vide its communication dated 06th April, 2026, has informed the petitioner, inter alia, in paragraph 6 as under:

> *"6. We reiterate that there is no freeze on your accounts for receiving credits (deposits). However, debits (withdrawals) are subject to approval from the competent authority of the bank as the operational concession granted vide letter dated 26.11.2025 has become infructuous due to following reasons-*
>
> *I. Account status has been changed to fraud by Head office of Bank.*
>
> *II. Unilateral litigation has been initiated by you.*
>
> *III. Directives of Hon'ble high Court*

> *of Gujarat vide its order dated 20.03.2026 has been submitted to the head office of the Bank and any guidance/correspondence after said development is awaited.”*

3. This Court is unable to comprehend as to under what circumstances or in pursuance of which regulation the respondent Bank has informed the petitioner that the status of the account has once again been changed to “fraud” by the Head Office, particularly when the earlier order dated 23rd January, 2026 declaring the account as fraud has already been withdrawn and the matter is yet to be adjudicated afresh.

3.1 Another aspect which merits serious consideration is the conduct of the respondent Bank in stating that the restriction on the petitioner’s bank account is on account of unilateral litigation initiated by the petitioner. More disturbing is the assertion that the directions issued by this Court vide order dated 20th March, 2026 have been placed before the Head Office of the Bank for guidance and correspondence.

4. In the aforesaid circumstances, before passing any interim order or taking a stringent view in the matter, this Court deems it appropriate to direct the Zonal Manager of the respondent Bank to file an affidavit explaining the contents of the letter dated 06th April, 2026, more particularly paragraph 6 thereof. The Zonal Manager shall also explain as to how the Head Office of the Bank could alter the status of the petitioner’s account as “fraud” despite the earlier order dated 23rd January, 2026 having been withdrawn and the matter pending fresh adjudication.

4.1 The Zonal Manager shall further clarify how the directions issued by this Court, more particularly when such directions were issued upon the statement of the Bank itself, could be placed before the Head Office for guidance. In ordinary course, once directions are issued by a Court of law, the same do not warrant any further deliberation or guidance and are required to be complied with in letter and spirit.

5. List this matter on 08th May, 2026.

Copy of this order be made available to Learned Advocate Mr.Lalit Patel for respondent No.1 for his onward compliance.

(NIRAL R. MEHTA,J)

ANUP