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 PERCY KAVINA SENIOR ADVOCATE WITH MR PRASHANTKUMAR R SHARMA(8591) for the Petitioner(s) No. 1
MR AMAR BHATT SENIOR 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 : 08/05/2026

ORAL ORDER

[1] On last occasion, this Court has passed the following order on 5th May 2026. The relevant portion is quoted as under:

"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Office, particularly when the earlier order dated 23rd January, 2026 declaring the account as fraud has already been withdrawn and the matter is yet to be adjudicated afresh.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alter the status of the petitioner's account as "fraud" despite the earlier order dated 23rd January, 2026 having been withdrawn and the matter pending fresh adjudication.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."

[2] Despite the aforesaid order, the Zonal Manager of the Bank has not filed any affidavit, as has been directed by this Court. *Prima facie,* the act of non-compliance would fall within the domain of the Contempt of Courts Act, 1971. However, at this stage, the interest of justice would be met if the interim relief, as prayed for, is granted.

[3] Thus, interim relief in terms of paragraph No.9(D) is granted subject to cut-back mechanism policy.

List this matter on 22nd June 2026.

Direct service is permitted.

(NIRAL R. MEHTA,J)

CHANDRESH