

11.11.2025

Court No.446

D/L No.29

S. Gayen

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 2128 of 2025

**Gupta Power Infrastructure Limited & Anr.
Versus
Canara Bank & Ors.**

Mr. Krishnaraj Thaker, Sr. Adv.

Mr. Suddhasatva Banerjee

Mr. Ishaan Saha

Ms. Bhawna Tekriwal

... for the petitioner No. 2

Mr. Ratnanko Banerjee, Sr. Adv.

Mr. Supriyo Mahapatra

Ms. Kishwar Rahman

Mr. Preetam Majumdar

... for the respondent No. 1 & 7

Mr. Anirban Pramanick

Mr. Punarbasu Nath

Ms. Bhagyasree Dey

... for the respondent No. 2

Ms. Falguni Jana

Ms. Sahana Pal

Mr. Souhardya Mitra

... for the respondent No. 3

Ms. Pooja Chakraborty

Mr. Mohit Dang

... for the respondent No. 5

Mr. Sakya Sen, Sr. Adv.

Mr. Vikram Wadehra

Ms. Akansha Yadav

Ms. Sakshi Tiwari

... for the respondent No. 6

Mr. Debasis Saha

Mr. Avirup Roy Sanyal

Ms. Sucheta Pal

... for the Bank of India

Mr. Shashwat Nayak

Mr. Santosh Kumar Ray

... for the respondent No. 9

Mr. Onkar Ganguly
Mr. Ayanabha Raha

... for the respondent No. 10

Mr. Ranajit Chowdhury
Ms. Sampurna Saha

... for the respondent No. 11

Mr. Shiv Mangal Singh

... for the respondent No. 12

Mr. Moinak Bose, Sr. Adv. (Through V.C.)
Ms. Sristi Roy
Ms. Prabhleen Bhara

... for the respondent No. 13

1. Affidavits-in-opposition filed jointly by respondent Nos. 1 and 7, and separately by respondent Nos. 2, 3, 6, 9, 10, 12, and 13, respectively are taken on record.
2. Mr. Ratnanko Banerjee, learned senior advocate appearing on behalf of respondent Nos. 1 and 7, has produced certain documents, which are kept with the record.
3. At the outset, Mr. Banerjee, learned senior advocate, points out that a corporate insolvency resolution process has been initiated against Petitioner No. 1/company. He submits that the CIRP petition has been admitted and a Resolution Professional has been appointed; therefore, he contends that this proceeding cannot be continued.
4. Mr. Suddhasatva Banerjee, learned advocate, appearing on behalf of the petitioners submits that, in view of the initiation of insolvency proceeding against Petitioner No. 1, the petitioner no. 1 may be said to

have lost the right and authority to participate in this proceeding. However, Petitioner No. 2 still retains the individual right to pursue the writ petition. He points out that the writ petition challenges the legality of four forensic audit reports. He further submits that the respondents intend to use these reports against Petitioner No. 2 personally, and if the respondents are not restrained from relying on these reports to take further actions, Petitioner No. 2 would suffer personal prejudice. Therefore, in his view, Petitioner No. 2 has a legal right to ventilate his grievances against those audit reports in this proceeding.

5. Heard the learned advocates appearing for the respective parties. Perused the materials on record.
6. The parties have conjointly submitted that CIRP has been initiated against Petitioner No. 1/Company and a Resolution Professional has also been appointed.
7. In view thereof, Petitioner No. 2 is directed to serve a notice on the Resolution Professional, intimating the pendency of the proceedings, with further information that the matter shall be taken up for further consideration on 27th November, 2025.
8. The issue raised by Mr. Banerjee, learned advocate appearing for Petitioner No. 2, shall be addressed and decided after hearing the Resolution Professional and respondents herein.

9. List the matter accordingly.

(Partha Sarathi Chatterjee, J.)