

D/L. 7.
November 22, 2023.
MNS.

WPA No. 25042 of 2023

Rubayet Chakraborty
Vs.
Punjab national Bank and another

Mr. Jishnu Saha,
Mr. Shounak Mukhopadhyay,
Mr. Sayantan Bose,
Mr. Sattik Rout

... for the petitioner.

Mr. Pankaj Kumar Mukherjee

...for the Punjab National Bank.

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the Punjab National Bank, at the outset, contends that a suit is pending for recovery of the debt taken by the borrower on January 7, 2011, where the petitioner was a personal guarantor. As such, the publication of the name of the petitioner in the CIBIL list is justified.
3. Learned senior counsel for the petitioner controverts such allegation *prima facie* and submits that unless there was a specific invocation of the guarantee with regard to the loan dated January 7, 2011, in any event, the

petitioner's name could not be put up on the list in such capacity.

4. Be that as it may, instead of being tentative on the facts, the respondents are directed to file their affidavits-in-opposition within December 4, 2023, disclosing all relevant facts. Affidavit-in-reply thereto, if any, shall be filed by December 7, 2023.
5. The matter shall next be listed on December 8, 2023 under the heading "Upgraded Matters" for hearing.

(Sabyasachi Bhattacharyya, J.)