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ORDER SHEET
WPO No.434 of 2025
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

NICCO CABLES PVT. LTD. & ANR.
-VS-
RESERVE BANK OF INDIA & ORS.

BEFORE:
The Hon'ble JUSTICE AMRITA SINHA
Date : 20th June, 2025.

Appearance:

Mr. Arindam Banerjee, Sr. Adv.
Mr. Siddhartha Banerjee, Adv.
Mr. Ashis Kr. Mukherjee, Adv.
Mr. Saurabh Prasad, Adv.
Mr. Sourojit Dasgupta, Adv.
.... for the Petitioners.

Mr. Dipanjan Datta, Adv.
Ms. Sukanya Datta, Adv.
Mr. Subhajit Chowdhury, Adv.
...for Bank of Baroda.

1. The petitioner is aggrieved by the levy of foreclosure charges and review charges imposed upon the petitioner which is a Micro, Small and Medium Enterprise (MSME).
2. Learned counsel representing the bank raises a preliminary objection with regard to the status of the petitioner as MSME. It has been submitted that at the time of obtaining the loan, a contract was entered in between the parties. Any dispute, touching the contract, cannot be decided by the writ Court.
3. The issues raised in the instant writ petition have to be decided after exchange of affidavits. There is no scope to pass any interim order in the matter at this stage.
4. Let affidavit-in-opposition be filed within four weeks from date. Reply thereto, if any, be filed within two weeks thereafter.

5. Liberty to mention the matter for hearing immediately after conclusion of the aforesaid time period.
6. Leave granted to the learned Advocate-on-record of the petitioners to amend the designations and addresses of the respondent nos. 3 and 5 in the cause title of the writ petition.

(AMRITA SINHA, J.)

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