

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
ORIGINAL SIDE

WPO/1487/2023  
GOURI PRASAD GOENKA  
VS.  
STATE BANK OF INDIA AND ORS.

**-And-**

WPO/1488/2023  
SHRIVARDHAN GOENKA  
VS.  
STATE BANK OF INDIA AND ORS.

BEFORE :  
THE HON'BLE JUSTICE SABYASACHI BHATTACHARYYA  
Date : 8<sup>th</sup> September, 2023.

Mr. Jishnu Saha, Sr. Adv. with  
Mr. Suddasatava Banerjee,  
Mr. Ishan Saha,  
Ms. Sananda Ganguli,  
Ms. Akhanksha Mukherjee,  
Mr. S. Roy & Mr. Bikram Mitra, Advs.  
...for petitioner.

Ms. Soni Ojha, with  
Ms. Sonia Nandy, Advs.  
...for respondent no.4.

The Court : - It was wrongly recorded on September 6, 2023 that supplementary affidavits filed in Court on that date were kept on record, whereas the said finding was due to inadvertence. There was some doubt, for which the affidavits filed were returned to counsel.

The matter is called on today.

Learned Counsel for the petitioner in both the matters contend that the documents sought to be brought on record primarily pertain to both the writ petitions and are required to be produced for proper and complete adjudication of WPO/1488/2023 in particular.

Learned Counsel for the respondent bank submits that the said documents were never relied on during the opening arguments of the petitioners.

The supplementary affidavits also pertain to the issue as to whether the petitioner in WPO/1488/2023 namely Shrivardhan Goenka was a promoter of the defaulting company at all. Since such issue might have a relevant bearing on the controversy to be determined in the writ petition, the supplementary affidavit sought to be filed by the petitioner is taken on record and accepted.

Learned Counsel for the State Bank of India is granted some time to peruse the said documents. In the event the bank has any dispute on any such document, it will be open to the respondent bank to canvas such argument in their reply. If necessary, the respondent bank will be eligible to produce further documents controverting the said limited issue at the time of giving reply.

Over and above, the respondents are also directed to file their affidavit-in-opposition to the writ petition within September 18, 2023. Reply, if any, be filed on the next returnable date with advance copy to the learned Advocate for the respondents.

Let the matter be listed on September 25, 2023.

(SABYASACHI BHATTACHARYYA, J.)