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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 4996/2023 & CM APPL. 19493/2023**

**AAMIR AHMED**

..... Petitioner

Through: Ms.Prachi Johri, Advocate.

versus

**UNION BANK OF INDIA**

..... Respondent

Through: Mr.O.P.Gaggar and Mr.Sachindra Karn,  
Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV**

**ORDER**

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**20.04.2023**

1. Heard learned counsel appearing on behalf of the petitioner. She states that the respondents have not followed the procedure contemplated under the master circular dated 01.07.2015 and the law laid down by the Hon'ble Supreme Court in the case of *SBI v. Jah Developers (P) Ltd.*<sup>1</sup>. She states that the respondent-Bank has not afforded any opportunity of hearing to the petitioner. According to her, in response to first notice, on account of some communication gap and difficulties, the petitioner was not able to attend and thereafter, the second notice alleged to have been issued, was never received by the petitioner. She further states that since the petitioner could not attend the hearing pursuant to second notice, therefore, her substantial rights are prejudiced. She also states that after passing of the

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<sup>1</sup> (2019) 6 SCC 787



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orders by the Identification Committee (IC) on 17.06.2022, she made the representation to the Review Committee (RC), in terms of (*Annexure P-17*) dated 30.06.2022 wherein, the specific averments have been made with respect to violation of principles of natural justice, however, the same have also not been considered by the RC. She has also drawn attention of this court to order dated 17.11.2022, passed by the RC to indicate that there is no consideration by the RC to the aforesaid aspects.

2. Issue notice.
3. Learned counsel appearing on behalf of the respondent accepts notice. He prays for four weeks' time to file the counter-affidavit. Let the same be filed.
4. The petitioner would be at liberty to file the rejoinder within two weeks' thereafter.
5. Subject to hearing the respondent, there shall be stay of the order passed by the RC dated 17.11.2022, communicated to the petitioner on 18.11.2022.
6. List on 14.09.2023.

**PURUSHAINdra KUMAR KAURAV, J**

**APRIL 20, 2023/MJ**