In the High Court at Calcutta
Civil Appellate Jurisdiction
Appellate Side

The Hon'ble Mr. Justice Sabyasachi Bhattacharyya
And
The Hon'ble Mr. Justice Supratim Bhattacharya

MAT No. 989 of 2025
IA No: CAN 1 of 2025

Ravindra Pratap Singh and another
Vs.
Reserve Bank of India and others

With

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MAT No. 991 of 2025
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Ravindra Pratap Singh and another
Vs.
Reserve Bank of India and others

For the appellants	:	Mr. Abhrajit Mitra, Sr. Adv. Mr. Jishnu Chowdhury, Sr. Adv., Mr. Chayan Gupta, Mr. Satadeep Bhattacharyya, Mr. Pourush Banerjee, Mr. Abhijit Sarkar
For the RBI in MAT 990 of 2025	:	Ms. Suchismita Ghosh

For the respondent no.2 in all the matters	:	Mr. Debnath Ghosh, Sr. Adv., Mr. Nishi Bhankharia, Ms. Kaazvin Kapadia, Mr. Suryaneel Das, Mr. Siddharth Ranade
For the respondent nos. 5, 6 & 7 in MAT 989 of 2025	:	Mr. Anirban Roy, Sr. Adv., Mr. Suddhasatva Banerjee, Mr. Sankarsan Sarkar, Mr. Debartha Chakraborty, Mr. Shayak Mitra, Ms. Siddhi Agarwal
For the respondent nos. 5, 6 & 7 in MAT 990 of 2025	:	Mr. Aniruddha Chakraborty, Sr. Adv., Mr. Sankarsan Sarkar, Mr. Debartha Chakraborty, Ms. Siddhi Agarwal
For the respondent nos. 5, 6 & & in MAT 991 of 2025	:	Mr. Sudhasatva Banerjee, Mr. Sankarsan Sarkar, Mr. Debartha Chakraborty, Ms. Siddhi Agarwal
For the respondent no. 8 in all the matters	:	Mr. Ranjan Bachawat, Sr. Adv., Mr. Subhankar Nag, Mr. Sanjiv Kr. Trivedi, Mr. Sayan Bandyopadhyay Mr. Soumya Roy Chowdhury, Mr. Sanket Sarawgi, Mr. Satyaki Mukherjee, Ms. Yukti Agarwal Mr. Bhavesh Garodia
Heard on	:	09.12.2025 & 16.12.2025
Reserved on	:	16.12.2025
Judgment on	:	05.01.2026

Sabyasachi Bhattacharyya, J.:-

1. The present appeals arise out of a common order passed in connection with three different applications. The backdrop of the case is that WPA No. 6088 of 2025 was filed under Article 226 of the Constitution of India by the present appellant against an order whereby the bank accounts of the appellant no.2-Company, of which the appellant no.1 is the director, was frozen by the respondent no.2, that is the Axis Bank Limited.

2. Upon the said decision being taken by the Bank, the appellants moved the banking Ombudsman of the Reserve Bank of India (RBI), the first respondent herein. The Ombudsman turned down the challenge on the ground that another similar proceeding on the same issue was pending before another competent forum.

3. Challenging the action of the Bank as well as the Ombudsman's decision, the writ petition was taken out, which culminated in an order dated April 9, 2025, whereby a learned Single Judge of this Court disposed of the writ petition by directing the Axis Bank to defreeze the Bank Account and the Demat Account of the writ petitioner/appellant no. 2, subject to deposit of an indemnity bond as per the norms of the Bank either by the writ petitioners or by the proforma respondent, keeping it open to the writ petitioners to approach the competent forum for damages from the Bank for not permitting the writ petitioners to operate the Bank Account,

thereby causing loss to the Company. It is relevant to note that the proforma respondent no.7 before the writ court, being the proforma respondent no.8 herein, is a Company by the name of Vindhya Telelinks Limited (for short 'VTL'), which is the 100% shareholder of the appellant no.2-Company, namely August Agents Limited, and is in complete control over the appellant no.2.

4. Subsequently, upon the Bank having not implemented the said direction, a Contempt Application bearing CPAN No. 953 of 2025 was filed by the writ petitioners/appellants. On the other hand, Axis Bank filed an application seeking clarification of the order dated April 9, 2025 with respect to details of the authorized signatories to be allowed to operate the accounts, (bearing Current Account No. 915020046066290) and Demat Account (bearing Account No. IN300484/28735957), upon defreezing those in terms of the said order. The said application was numbered as CAN 1 of 2025.

5. Another application, bearing CAN 2 of 2025, was filed by the present respondent nos. 5 to 7, namely one Krishna Damani, one Susil Kumar Daga and one Vinod Kumar Sharma, seeking recall of the order dated April 9, 2025 passed in the writ petition and to be impleaded as parties to the writ petition. In the said application, it was contended that material facts were suppressed by the writ petitioners while obtaining the order under recall and that the recall applicants/present respondent nos. 5 to 7, despite being necessary parties (as the complainants on the basis of whose

allegations the subject accounts were frozen), were not impleaded in the writ petition.

6. By the present impugned order dated June 9, 2025, the learned Single Judge of this Court observed that after hearing the submissions of the parties, it appeared that the matter was required to be heard. Accordingly the contempt application against Axis Bank was kept in abeyance for the time being and it was directed that the order dated April 9, 2025 shall not be acted upon by any of the parties, also for the time being.

7. In the same breath, by the impugned order dated June 19, 2025, the recall applicants/present respondent nos. 5 to 7 were directed to be formally added as party-respondents in the writ petition and the copy of all documents in connection with the writ petition were directed to be served on the added respondents.

8. This court is informed that although the applications were directed to be relisted in July 24, 2025, those have not yet been taken up by the learned Single Judge.

9. Learned senior counsel appearing for the appellants contends that no germane material was suppressed from the writ court. It is argued that the respondent nos. 5 to 7 were not necessary parties to the writ petition at all. The appellants place reliance on a co-ordinate Bench judgment in the matter of *Cardiological Society of India and Ors. Vs Sunip Banerjee and Ors.*, reported at *MANU/WB/1130/2024*, in support of the proposition that in the absence of a bank either having a claim against a constituent or a

lien on the bank account or the bank being obliged to obey any instruction of the Central Bank or any order of court, a bank cannot freeze any account of its constituent for any period at all.

10. Learned senior counsel for the appellant also cites a judgment of a learned Single Judge of this Court in the matter of *Modello Ventures LLP vs. Indian Overseas Bank and Ors.* reported at *(2023) SCC OnLine Cal 1324*, where it was observed by the learned Single Judge that whatever may be the dispute between the partners, the bank must approach the proper adjudicatory forum for an appropriate order of injunction on the petitioner and cannot freeze the accounts of the petitioner on the strength of a solitary complaint without the order of an adjudicatory forum.

11. In both the said decisions cited before us, a judgment of a co-ordinate Bench of this Court in the matter of *Rina Habiba vs. the The Bank of India & Amp; Ors.,* (*FMA 74 of 2020*) was relied on.

12. It is thus contended that the original order passed by the writ court was perfectly justified. In any event, the proforma respondent no.8-VTL, which is the 100% share holder of the appellant no.1-Company, offered to give indemnity for defreezing the account, which was accepted by the learned Single Judge, thereby providing necessary safeguards in respect of any future claim which may be made.

13. Secondly, it is argued that the premise of the freezing of the account by the bank was apparently the marking of the appellant no.2-Company as “pending management dispute” with the

Registrar of Companies (ROC). However, the ROC, by a subsequent letter to the appellant no.2 dated July 15, 2021, informed the appellant no.2 that the marking of 'management dispute' as per the direction of the "APL Committee" was reversed and the appellant no.2-Company was unmarked from having management dispute and was advised to take steps to change the necessary e-forms 'pending due to management dispute' by raising GIF by the ROC to be changed to original status as 'approved'. The said communication was in apparent compliance of a letter by the Ministry of Corporate Affairs (MCA) dated July 9, 2021, directing such demarking.

14. By a letter dated July 22, 2021, such demarking was intimated to the Axis Bank, despite which the Axis Bank mulled over the matter, in apparent collusion with the respondent nos. 5 to 7, and filed an unnecessary clarificatory application before this Court.

15. It is next contended that respondent nos. 5 and 6 herein were erstwhile Directors of the appellant no.2-Company but were subsequently removed/not reappointed as Directors along with one Vinay Sureka. The respondent nos. 5 and 6 and the said Vinay Sureka lodged the complaint with the ROC, asking not give effect to the change of directors, prompting the ROC to mark the company with 'management dispute'. The appellants argue that the decision of removal of respondent no.5 and non-reappointment of respondent no.6 as well as Vinay Surekha was by virtue of valid resolutions passed in Extraordinary General Meetings (EOGMs)

and/or Annual General Meetings (AGMs) of the appellant no.2-Company.

16. Thus, the request made to the bank by the appellant no.2 for change of signatories in place of respondent no.5 to 7, in view of their removal/non re-appointment as Directors of the company, was perfectly justified and validated by a resolution in an EOGM dated May 10, 2021.

17. It is argued that the Bank did not have any *locus standi* to seek any further clarification in view of its client, the appellant no.2, having instructed it to alter the signatories, that too in view of a valid Board resolution. In any event, it is contended that respondent nos. 5 to 7 had or have no *locus standi* at the relevant juncture to raise any dispute whatsoever. Even if such dispute is raised, the same cannot be a relevant consideration for the Bank in *suo motu* freezing the account without any valid order of the court.

18. Learned senior counsel for the appellant next submits that the removal/non-reappointment of respondent no.5 to 6 was challenged under Section 241 and 242 of the Company's Act, 2013, by labelling such action as oppression and mismanagement, before the National Company Law Tribunal (NCLT). The said challenge having been dismissed, an appeal has been preferred against the dismissal before the National Company Law Appellate Tribunal (NCLAT), which is now pending. In the pending proceeding, the Axis Bank also took out an application for

intervention, which is now pending as well. It is argued that the Axis Bank cannot have any plausible interest in intervening in a dispute purely regarding the internal affairs and disputes of the appellant no.2-Company sought to be raised by the APL (*Administrator Pendente Lite*), since the company is only a customer of the bank and the bank cannot have any direct interest in the proceedings.

19. Learned senior counsel for the appellant argues that the Axis Bank is acting in tandem and in collusion with respondent nos. 5 to 7 and their stooges, who were appointed as Directors in the first place by virtue of direction of the APL, appointed initially in a testamentary proceeding with regard to the last Will and testament of Late Priyambada Devi Birla (PDB), a matriarch of the Birla Family.

20. It is submitted that in a challenge before the Division Bench of this Court, the said Bench categorically observed that the estate of PDB could not be extended to different other companies where Late PDB did not have a direct controlling interest by virtue of her share holding and/or the direct incidents of such shareholding, including the appellant no.2-Company. Hence, there was no irregularity in the Directors, appointed by the APL arbitrarily, to be removed subsequently. In any event, it is argued that any management dispute in respect of the company, even if there initially was, does not remain any further in view of the unmarking

of 'management dispute' in respect of the appellant no.2 by the ROC on the directives of the MCA.

21. That apart, the Axis Bank cannot have any business freezing the account *suo motu* even if there is any such management dispute in the company. The Axis Bank, it is argued, is hand in glove with the Birla Family, at whose behest it is alleged that the APL is functioning.

22. Learned senior counsel appearing for the appellant further argues that the Ombudsman's order turning down the challenge of the appellants was bad in law, since the pendency of an intervention application by the Bank in a completely unrelated proceeding regarding oppression and mismanagement could not come within the ambit of a "similar dispute" with that relating to the freezing of the accounts of appellant no.2.

23. In any event, respondent nos. 5 to 7 have never challenged their removal/non-reappointment in their individual capacities or in their capacity as Directors but it is only the APL which had filed the challenge before the NCLAT. Not being Directors currently in the company, respondent nos. 5 to 7 did not have any *locus standi* to be impleaded in the dispute raised in the writ petition.

24. While controverting such arguments, learned senior counsel for the Bank submits that the Bank is completely neutral and froze the account only in view of the conflicting communications made on behalf of the appellant no.2-Company by different sets of persons. It is submitted that since a management dispute of the

Company itself was cited, it would be imprudent and precarious for the bank to act on the instruction on either of the sets of parties, who wrote contradictory letters regarding the operation of the account. Whereas a request was made from one faction of the Company to freeze the accounts, the other instructed the bank to continue operation of the same upon changing the authorized signatories. In view of such contradictory set of instructions, the Bank was in a quandary as to whether to permit or not to permit the operation of the accounts. Thus, solely in the interest of its customer, that is, the appellant no.2-Compnay itself, the accounts were frozen.

25. It is contended by the Bank that the Bank if ready to abide by any direction passed by any competent forum, including this Court, and does not have any personal stake in the matter. The clarificatory application was made since there was a request for change of signatories and a consequential mismatch with the original signatories who have acted all along in such capacity on the instructions of the previous customer/company itself.

26. It is argued that the marking the company as having 'management dispute' was not the sole basis of freezing the account, but the contradictory and conflicting instructions from different sets of management of the company as well as the fact that in the ROC records, no alteration in the name of Director or change of office, as claimed by the appellants, was reflected.

27. Learned senior counsel appearing for the respondent nos. 5 to 7 argues that in view of the pendency of the matter before the NCLAT, there is obviously a management dispute and specific allegation of oppression and mismanagement due to removal of the said respondents as Directors of the Company. Thus, if the account is permitted to be operated at this juncture, it would be contrary to the interest of the company itself. Before the dispute is resolved, it is submitted that the subject accounts of the company ought to remain frozen. Furthermore, the appellants sought a change in signatories, which would give untrammelled access to them in respect of the subject accounts.

28. It is next argued that being the complainants at whose behest the accounts were frozen, the respondent nos. 5 to 7 were necessary parties to the writ petition and them having not been impleaded in the writ petition, the original order passed in the writ petition was bad in law and ought to be recalled. The learned Single Judge was, thus, justified in directing the respondent nos. 5 to 7/recall applicants to be added as parties to the writ petition. As a necessary corollary, since the recall application as well as the clarificatory application is pending, the learned Single Judge rightly suspended the operation of the order under recall as well as the connected contempt application.

29. It is lastly submitted by the said respondents that the Ombudsman was justified in turning down the challenge on the ground of pendency of a similar issue before the NCLAT. In any

event, having failed before the Ombudsman, the freezing of the bank accounts could not again be challenged before the writ court. Thus, learned senior counsel for the respondent nos. 5 to 7 prays for the appeal to be dismissed.

30. Upon a consideration of the arguments of the parties, we find that the testamentary proceeding in respect of the last Will and Testament of late PDB, a matriarch of the Birla Family, has spread its shadow over a plethora of litigation, including the present one. The respondent nos. 5 to 7 were apparently appointed as Directors of the appellant no.2-Company at the behest of the APL appointed by the testamentary court.

31. From the freeze letter of the bank dated June 9, 2021, which was challenged before the writ court, it is evident that two different letters are cited by the bank as the justification for such freezing of the accounts of the appellant no.2-Company. The first letter dated 10th May 2021, issued on the letterhead of the appellant no.2-Company, was admittedly issued by the present appellants. However, the second letter dated May 18, 2021 cited by the Bank was issued not on the letter-head of the appellant no.2 but that of VTL, a 100% shareholder of the appellant no.2-Company, that is, August Agents Limited.

32. In the said letter, the Bank also referred to an inter-management dispute which was taken note of by the MCA, requesting to settle the matter amicably or get an order/interim order from a court or a Tribunal of competent jurisdiction till such dispute was settled.

The Bank also noted in the letter of freezing that the ROC website, as on June 8, 2021, continued to reflect the registered office address and names of Directors as per the extract attached thereto. The Bank raised a question as to whether the resolutions taken by the Company were held in compliance in the provisions of applicable law, including Section 100, 115 and 169 and 173 of the Company Act, 2013, and the Rules thereunder, seeking copies of all extracts.

33. Surprisingly, the freeze letter was addressed not to the appellant no.2-Company, that is, August Agents Limited but to the Manager, Finance and Accounts, M.P Birla Group. Although the letter reached the appellants, the loyalty of the Bank, as the banker, lay not with a nebulous entity called the "M.P. Birla Group" but specifically to its customer August Agents Limited (appellant no.2) and, in all propriety, the letter should have been addressed to the appellant no.2-Company.

34. Secondly, as wrongly mentioned in the body of the freeze letter dated June 9, 2021, the second letter, which was the premise of the freeze order, was not issued on the letter-head of appellant no.2. Although the said letter was referred to as " The August Letter 2" by the Bank, from the subject quoted in the said letter, it is evident that the second letter dated May 18, 2021 was issued on the letter-head of VTL, with a merely a copy to the appellant no.2-Company, the latter being the customer of the Bank.

35. Thus, it is unclear as to what prompted the Bank to raise a dispute on the basis of third-party entity, that is, VTL, as opposed to a letter issued by the customer company itself.

36. That apart, we find from the relevant annexure to the stay application in the present appeal that by a communication dated July 15, 2021, the ROC itself wrote to the appellant no. 2-Company intimating it about the decision of the MCA dated July 9, 2021, as intimated to the ROC, for unmarking of the management dispute in respect of the appellant no.2-Company, also directing all consequential steps to be taken to remove such marking as management dispute in respect of the appellant no.2-Company. Pursuant to the said letter of the ROC dated July 15, 2021, the appellant no.2 wrote again to the Axis Bank on July 22, 2021, which communication is also annexed to the present stay application, thereby narrating the entire factual situation as on that day, including the subsequent communication of the ROC informing about the demarking of 'management dispute' and reiterating its request to give effect to the change of signatories and defreeze the accounts. However, the Bank, going beyond its charter as the banker to the appellant no.2-company, still persisted in retaining the freeze of the accounts.

37. The Bank also sought to intervene in the internal disputes of the company by making an application for impleading itself in the proceeding under Section 241 and 242 of the Company's Act, 2013. Apart from the Bank *prima facie* having no *locus standi* to

intervene in the internal affairs of the Company, in the capacity merely of a banker of the Company, we find it baseless on the part of the Axis Bank to rely on the communication by a third-party, that is VTL, by referring to it as a letter by the appellant no.2-Company, while contravening the specific instruction issued on the letter-head of the appellant no.2-Company itself, citing the resolutions taken in EOGMs of the Company itself, to have a change in signatories. It was the incumbent duty of the Axis Bank, as per banking norms, to act on the instructions of the appellant no.2-Company itself, which is the holder of the subject accounts, irrespective of any internal management dispute which might be there in the company.

38. Moreover, since the marking of the company with "management dispute" has since been unmarked by the ROC on the specific directive of the MCA, there cannot be any further fetter in operation of the account. Even otherwise, the marking by the ROC as management dispute operates in an entirely different sphere of Company Law, having nothing to do with the banking business of the Axis Bank vis-à-vis appellant no.2-Company. At the worst, such marking of management dispute might have an impact of statutory compliances on the part of the company insofar as the ROC is concerned, which is entirely within the domain of Company Law and has nothing to do with the transactions of the company with its banker, the Axis Bank.

39. Also, the challenge to the removal of respondent nos. 5 to 7 as Directors before the NCLT, in the garb of oppression and mismanagement disputes under Section 241 and 242 of the Companies Act, 2013, was dismissed by the NCLT. Although an appeal is pending before the NCLAT against such dismissal, in the absence of any stay order passed by the Appellate Authority, the order of the NCLT is still operative and binding on the parties. Thus, as on date, the removal/non-reappointment of respondent nos. 5 to 7 as Directors of the appellant no.2-Company subsists, thereby denuding them of any *locus standi* to raise any objection with regard to the affairs of the appellant no.2-company or the operation of its bank accounts.

40. It is none of the business of the Axis Bank, in its capacity as the Banker of the appellant no. 1-company, to peep into the internal affairs of the company, in the teeth of the unmarking of the appellant no.2 as a 'management dispute' and in view of the NCLT order, which subsists as on date, whereby the respondent nos. 5 to 7 do not have any *locus standi* as any functionary of the appellant no.2 to raise any objection to the operation of its account.

41. The third important aspect of the matter which disturbs this Court is that the second letter dated May 18, 2021, cited by the Bank in its freezure communication dated June 9, 2021, was issued on the letter-head of VTL, and not the appellant no.2-Company and, as such, the same could not be a relevant factor for denying to carry out the specific instructions given in the letter-head of the

appellant no.2-Company itself, which was the first letter dated May 10, 2021 cited in self-same communication. Most importantly, VTL itself, which is the 100% shareholding company of the appellant no.2 and in total control of the appellant no.2-Company, has itself given an indemnity with respect to the defreezing of the accounts before the writ court, on the premise of which the writ court directed the freezing to be reversed. Thus, not only has sufficient safeguards been incorporated in the writ court's original order by directing the VTL to grant indemnity, it is evident that VTL itself, on whose letter the bank froze the account in the first place, has taken a stand supporting the defreezing of the account. Thus, no impediment can now remain in the path of the bank to defreeze the account pursuant to the order of the writ court, since the very premise of its freezing has now been erased by VTL itself coming up in support of the defreezing.

42. Accordingly, the clarification sought by the bank is *prima facie* a moonshine, in an unwarranted bid to thwart the operation of the accounts and, in the process, to put a spanner in the wheels of implementing the original order of the writ court now sought to be recalled, in an apparent act of camaraderie with the respondent nos. 5 to 7, in tandem with the APL Committee appointed initially by the Testamentary Court.

43. Furthermore, the respondent nos. 5 to 7, having been denuded of the *locus standi* to interfere in the affairs of the Company by virtue of the NCLT order, does not have any right to be impleaded in the

writ petition at all. Even otherwise, in view of the Division Bench judgment of this Court in the testamentary matter, the estate of Late PDB has been restricted only to her direct shareholding and the incidents thereof, thereby taking the appellant no.2, where she did not have any significant shareholding, outside the ambit of her estate, to be administered by the APL. Hence, the challenge by the APL against the removal of respondent nos.5 to 7 is a cause of action espoused by the APL itself and not on behalf of the respondent nos. 5 to 7 in their capacity as individual Directors of the Company. The respondent nos. 5 to 7 cannot piggyback on the APL challenge to claim *locus*, in view of themselves having not taken out any challenge to their removal or non-reappointment before any competent forum at any point of time.

44. The other ground on which the said respondents seek to be impleaded in the writ petition as necessary parties is that on their complaint, the freezure of the accounts-in-question took place. However, such plea is *ex-facie* a sham, since the bank itself, in its communication dated June 9, 2021 cited a letter dated May 18, 2021 on the letter-head of VTL, a 100% shareholding company of the appellant no.2 August Agents Limited, as the trigger for freezing the accounts. We do not find a whisper within the four corners of the freeze letter as to the respondent nos.5 to 7 having raised any allegation, objection or complaint to instigate such freezure. Hence, it is only VTL on whose contra letter dated May 18, 2021 the freezer was undertaken by the Bank, only which

could come up in support of such freezure. On the contrary, VTL now supports the appellants in defreezing the accounts; not stopping there, VTL stands as the indemnifier by undertaking to indemnify the defreezure before the writ court. Thus, the respondent nos. 5 to 7, *prima facie,* do not have any *locus standi* whatsoever to be impleaded in the original writ petition and/or to file a recall application of the original order passed by the writ court directing defreezing of the accounts, nor does the bank any subsisting justification not to comply with the parent order of the writ court and defreeze the accounts-in-dispute.

45. Even otherwise, the remedy of the respondent nos. 5 to 7, if any, could at best lie by way of an appeal before the Division Bench against the parent order passed by the writ court, with leave to prefer such appeal, having not been parties to the original writ petition. The law does not contemplate an application for recall simpliciter in a disposed-of writ petition, particularly since the dismissal was on the merits of the case. No case of review under Order XLVII of the Code of Civil Procedure has been made out in the recall application, nor has any other justification been given to recall the order passed in a disposed-of writ petition. Hence, *prima facie*, the recall application, as well as the clarification application by the Bank, are not maintainable in the eye of law.

46. Thus, we do not find any *prima facie* case having been made out for the order impugned before this Court being passed. The learned Single Judge, while passing the impugned order dated June 19,

2025, merely recorded that after hearing the submissions of the parties it appeared to the court that the matter was required to be heard, unfortunately, without recording any reason or adverting to any *prima facie* case made out for so observing. Thus, putting the parent order dated April 9, 2025 in suspension by directing the parties not to act upon the same for the time being, as well as keeping the contempt application in abeyance consequentially, are not substantiated by any reasoning and, accordingly, cannot be sustained.

47. With utmost respect, another irregularity which strikes the eye in the impugned order dated June 19, 2025 is that the recall applicants/respondent nos. 5 to 7 herein have been directed to be formally added as party-respondents to the writ petition, which relief could only have been granted once the recall application was allowed and the order disposing of the writ petition reopened, if at all. There is no scope of impleading or adding parties to a disposed-of writ petition, since the writ court is no longer *in seisin* of the matter after disposing of the same. Thus, the addition of parties in a dead writ petition is contrary to the basic tenets of jurisprudence.

48. Hence, in effect, one of the final reliefs sought in the recall application itself has been granted at the premature stage by adding respondent nos. 5 to 7 as parties to the main writ petition, despite the recall application itself having been postponed for

hearing later. On such count as well, we find the impugned order not being sustainable in law.

49. Accordingly, MAT No. 989 of 2025, MAT No. 990 of 2025 and MAT No. 991 of 2025 are allowed on contest, thereby setting aside the impugned order dated June 19, 2025 passed in connection with CAN 1 of 2025 and CAN 2 of 2025 arising out of WPA No. 6088 of 2025 and in respect of CPAN No.933 of 2025.

50. The learned Single Judge is requested to take up all pending applications together as per the convenience of the said Bench, by disposing of the recall application of the respondent nos. 5 to 7 and the clarificatory application filed by the Axis Bank first and thereafter to decide on the contempt application, subject to the outcome of the recall application.

51. Consequentially, the connected stay applications, bearing CAN 1 of 2025 filed in connection with all the aforesaid appeals stands disposed of.

52. We hasten to add that this court has not decided on merits any of the issues involved in the applications pending before the writ court and all the above observations are tentative in nature, only conclusive so far as the disposal of the present appeals and connected applications is concerned, and the findings and observations of this court shall not, in any manner, prejudice the rights and contentions of any of the parties in the pending applications before the learned Single Judge.

53. There will be no order as to costs.

54. Urgent certified server copies, if applied for, be issued to the parties upon compliance of due formalities.

(Sabyasachi Bhattacharyya, J.)

I agree.

(Supratim Bhattacharya, J.)