

GAHC010023652024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/701/2024

ON THE DEATH OF BIMAL KRISHNA SAHA, HIS LEGAL HEIRS VISHAL SAHA AND ANR
S/O- LATE BIMAL KRISHNA SAHA, R/O- CHHANBAN, MG ROAD, NEAR AJACHAK ASHRAM, UDAIPUR-799120, TRIPURA IN THE DISTRICT OF GOMATI.

2: SMT. SULEKHA DAS SAHA
W/O- LATE BIMAL KRISHNA SAHA
R/O- CHHANBAN
M.G. ROAD
NEAR AJACHAK ASHRAM
UDAIPUR-799120
TRIPURA IN THE DISTRICT OF GOMATI

VERSUS

STATE BAK OF INDIA AND 2 ORS
STRESSED ASSETS RECOVERY BRANCH, 2ND FLOOR, SIGNATURE SQUARE, M.R.D. ROAD, BAMUNIMAIDAM, GUWAHATI-781021, REPRESENTED BY ITS AUTHORISED OFFICER.

2:CHIEF MANAGER
STATE BANK OF INDIA
STRESSED ASSETS RECOVERY BRANCH
2ND FLOOR
SIGNATURE SQUARE
M.R.D. ROAD
BAMUNIMAIDAM
GUWAHATI-781021.

3:AUTHORISED OFFICER
STATE BANK OF INDIA
STRESSED ASSETS RECOVERY BRANCH
2ND FLOOR
SIGNATURE SQUARE
M.R.D. ROAD
BAMUNIMAIDAM
GUWAHATI-781021

Advocate for the Petitioner : MS U DAS

Advocate for the Respondent : MR. H BURAGOHAIN

**BEFORE
HONOURABLE THE CHIEF JUSTICE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

03.04.2024

(Vijay Bishnoi, CJ)

After hearing the arguments for quite some time, learned counsel for the petitioners, on instructions, has submitted that she does not want to press this writ petition. However, the learned counsel for the petitioners seeks leave for the petitioners to file an appeal before the Appellate Tribunal constituted under Section 18 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 against the order dated 11.01.2024 passed by the DRT, Guwahati.

Dismissed with liberty as prayed for. However, any appeal if filed by the petitioners before the Appellate Tribunal within a period of two weeks from today, the Appellate Tribunal shall consider the same on merits ignoring the delay in filing the same.

In the meantime, the petitioners are free to receive the surplus amount from the Bank without prejudice to their available rights.

JUDGE

CHIEF JUSTICE

Comparing Assistant