16.07.2026
Court No. 12
Item No.01
GB

MAT 1124 of 2026
With
CAN 1 of 2026

Siddhartha Biswas
Vs.
Indian Bank erstwhile Allahabad Bank & Ors.

Mr. Ranjan Kali,
Ms. M. Chakraborty,
Mr. S. Nayak,
Ms. Payel Nath

...for the Appellant.

Mr. Shiv Mandal Singh

....for the Bank.

1. The appeal has been filed against an order dated June 19, 2026, passed in WPA 11053 of 2026. By the order impugned the learned Court kept the writ petition pending and directed the State authorities to implement the order of the District Magistrate dated October 29, 2025, passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
2. The appellant submits that such order could not have been passed.
3. Learned advocate for the bank submits that, as the bank had pointed out various suppressions of facts by the appellant and as the conduct of the appellant/writ petitioner was deplorable, His Lordship had taken a serious view of the matter and directed implementation of the order of the District Magistrate.

4. Mr. Kali, learned advocate for the appellant is correct to the extent that, His Lordship had the option of dismissing the writ petition but, directing the State authorities to implement the order of the District Magistrate was not the correct approach.
5. The order of the District Magistrate was passed on October 29, 2025 and nothing prevented the bank from taking steps in accordance with law and nothing prevented the District Magistrate to secure implementation of the order.
6. The District Magistrate can adopt necessary measures as permissible in law. The direction of His Lordshhip is inconsequential. The prayer for stay of the order of the District Magistrate cannot be allowed as the said order was passed in October 2025.
7. The remedy of the appellant against the said order was before the learned Debts Recovery Tribunal.
8. It is informed to us that a SA is pending before the Debts Recovery Tribunal. The appellant approached the writ court for certain directions upon the bank, to accept the OTS.
9. Under such circumstances, the appeal is disposed of. It is made clear that, the direction upon the State authorities to implement the order of the District Magistrate is redundant and shall be ignored. The District Magistrate has the authority to ensure implementation and pass necessary directions in this regard. He is at liberty to do so.

10. Accordingly, the appeal and the connected application are disposed of.
11. As the writ petition is pending, the bank will file an affidavit before the learned writ court indicating the reasons as to why the bank remained silent after the order was passed and did not take immediate measures for implementation of the order of the District Magistrate.
12. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)