

WPA 24108 of 2026

08.09.26
D/L
Sl-13
Ct. 07
(Samar)

**Soma Das
Vs.
The State of West Bengal & Ors.**

Mr. Asis Bhattacharyya,
.....for the petitioner.
Mr. Flguni Bandopadhyya.
Mrs. Sarda Sha,
.....for the State.
Ms. Ishita Ghosh,
.....for the respondent no. 5.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner complains that the petitioner's application filed under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 before the Debts Recovery Tribunal No. III, Kolkata has been kept pending by the said Tribunal thereby keeping the petitioner in the lurch.
3. Learned advocate appearing for the petitioner submits that the petitioner filed the application as far as back on July 11, 2026 along with an interlocutory application and the same has not been taken up by the relevant tribunal till date.
4. Learned advocate appearing for the respondent Financial Institution submits that the petitioner has indeed filed an application under Section 17 of the 2002, Act but the petitioner has not taken any step as required for removal of the defect wherefor, SA number has not yet been allotted and the

petitioner's application still remains under a diary number.

5. Having heard the learned advocates appearing for the respective parties and having considered the material on record, this writ petition is disposed of by granting liberty to the petitioner to take appropriate steps to ensure that the petitioner's application is registered and numbered as a SARFAESI application (SA). The Debts Recovery Tribunal shall indicate to the petitioner the defects, if any, that are required to be removed for the purpose of registering the application with a SARFAESI application number instead of the diary number.
6. After the petitioner removes the defects and files and application for putting up of the records, in case the Presiding Officer of the Debts Recovery Tribunal no. 3 is not available, then the Presiding Officer-in-charge of the said Tribunal shall take up the petitioner's application and deal with the same expeditiously, in accordance with law.
7. With the aforesaid observations, WPA 24108 of 2026 stands disposed of. No Costs.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)

