

12.08.2021.
Item No. 127.
Court No.13
ap

**W.P.A. No. 11521 of 2021
(Through Video Conference)**

**M/s. Rajlakshmi Guinea Museum Jewellers Pvt.
Ltd. & Anr.
Versus
Bank of Baroda & Ors.**

Mr. Probal Kumar Mukherjee,
Mr. Sabir Ahmed,
Mr. Mujibar Ali Naskar.

..For the petitioners.

Mr. Dipanjan Datta.

..For the Bank.

Mr. Amitesh Banerjee, Id. Sr. Standing Counsel,
Ms. Ipsita Banerjee.

...For the State.

Affidavit-of-service filed in Court today is taken
on record.

The writ petitioners are aggrieved by the conduct
of the Bank of Baroda and the police officials in course
of execution of an order passed under Section 14 of
the Securitization and Reconstruction of Financial
Assets and Enforcement of Security Interest Act, 2002
(in short SARFEASI Act, 2002).

It is argued by the Counsel for the petitioners
that possession of secured assets was taken contrary
to the Rules, which has caused serious damage and
prejudice to his clients.

It is submitted by the Counsel for the Bank that
the Rule Book was followed in letter and spirit, in
course of taking possession of the secured assets. It is
further submitted that the entire process has been

video-graphed and due inventory of all assets have been taken. It is also submitted that proceedings are pending before the Debts Recovery Tribunal in which steps taken by the Bank under Section 14 of the SARFEASI Act, 2002 are also the subject matter.

In that view of the matter, this Court is of the view that the petitioners may agitate all their grievances against the Bank before the Debts Recovery Tribunal. In the event of any finding of the Tribunal of impropriety committed either by the Bank or by the police at the instance of the Bank, the writ petitioners may approach an appropriate forum for relief and remedy.

This Court is of the view that the instant writ petition is premature and no relief can be granted to the writ petitioners at this stage. The writ application shall stand disposed of.

It is made clear that this Court has not adjudicated or decided any of the allegations of the writ petitioners against the respondent or vice versa.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

