

23.08.2021

serial no. 36

D d

(Through Video Conference)

WPA 12663 of 2021

Mr. Goutam Biswas & Anr.

Vs.

Corporation Bank & Ors.

Mr. Partha Sarathi Bhattacharyya, senior advocate,
Mr. Anindya Bose,
Mr. Asok Banerjee,
Mr. Subrangsu Maiti,
Mr. Ditendu Mandal, Advocates
... ... for the Petitioners

A possession notice issued under the provision of the Security Interest Enforcement Rules and the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is under challenge in the present writ petition.

Learned senior advocate appearing for the petitioners submits that the petitioners are the owners of the immovable concerned. The petitioners obtained loan from Corporation Bank. The petitioners were surprised to find that the Indian Bank issued impugned possession notice.

None appears for the respondents.

Since Indian Bank invoked the provisions of the Act, 2002, the petitioners can avail of the remedies under the Act, 2002.

In the circumstances, since there exists statutory efficacious alternative remedy in favour of the petitioners, interference by the writ Court is not called for.

WPA 12663 of 2021 is disposed of accordingly.

(Debangsu Basak, J.)