

08.10.2021.
Court No.13
Item No.18
ap

**W.P.A. No. 16825 of 2021
(Through Video Conference)**

**Arnab Bera & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Amitava Mukherjee,
Mr. Subhendu Roy Chowdhury,
Ms. Debarshi Brahma.

...For the petitioners.

Mr. Naba Kumar Das,
Mr. Subhabrata Das.

...For the State.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh.

...For the respondent no.10.

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

The writ petitioners are aggrieved by the
proceedings taken out by the Bank under the
Securitization and Reconstruction of Financial Assets
and Enforcement of Security Interest Act, 2002 (in
short SARFEASI Act, 2002).

The writ petitioners appear to be the third
buyers of the secured asset. There are a large number
of issues that need not be gone into and are not
relevant for the purpose of disposal of the instant writ
petition.

Since the grievance of the petitioners is required
to be raised before the Debts Recovery Tribunal at
Kolkata and all the writ petitioners want is a copy of
the order dated 31st October, 2019 being Order No.

1513/SARFAESI under Section 14 of the SARFEASI Act, 2002, the Office of the District Magistrate, South 24 Parganas shall furnish a copy of the said order to the writ petitioners.

The writ petitioners have already made an application under Section 6 of the Right to Information Act, 2005 and prays for delay in compliance of the same.

This Court does not find any delay in compliance of such application on the part of the office of the District Magistrate, South 24 Parganas since the application is received only on 29th September, 2021.

However, this order has been passed since the petitioners are being repeatedly warned by the police to vacate the said premises.

It is made clear that apart from the above, this Court has not gone into any of the contentions of the petitioners against any of the respondents, none of the allegations made in the writ petition shall be deemed to have been admitted by any of the respondents.

With the aforesaid directions, the instant writ petition shall stand disposed of.

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.)

