

11.04.2022.
Court No.13
Item No. 26
ap

W.P.A. No. 2226 of 2022

Sri Nirmal Gayen
Versus
The Authorized Officer, United Bank of India & Anr.

Sk. Rejaul Alam.

...For the petitioner.

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

The writ petitioner is aggrieved that a representation dated 25th January, 2022 made to the Authorized Officer, Punjab National Bank has not been considered till date.

It appears from the records that a notice of intended sale under Section 13(4) of the SARFAESI Act, 2002 has been issued to the petitioner and the petitioner has thereafter applied before the Bank to repay the debt.

This Court is of the view that the remedy of the petitioner is essentially before the Debts Recovery Tribunal, Kolkata under Section 17 of the SARFAESI Act, 2002.

In that view of the matter, subject to maintainability and limitation, the petitioner may approach the said Debts Recovery Tribunal at Kolkata with an appropriate appeal.

With the aforesaid observations, 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.*)