

10.05.2022.  
Item No. 31.  
Court No.13  
ap

**W.P.A. No. 8285 of 2022**

**Sri Biltu Roy  
Versus  
The Authorized Officer, State Bank of India & Ors.**

Mr. Sukumar Bhattacharya,  
Ms. Indrani Nandi,  
Ms. Piyali Shaw.

..For the petitioner.

Mr. Shiv Mangal Singh.

...For the respondent no.1.

The writ petitioner is aggrieved that Registry of the Debts Recovery Tribunal No.I has refused to register the petitioner's application under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short SARFEASI Act, 2002) on the ground that the valuation indicated by the petitioner is incorrect and inappropriate.

Counsel for the petitioner submits that the said refusal is stated to have occurred on 2<sup>nd</sup> May, 2022.

This Court is of the view that the correctness of the valuation of the SARFEASI Application, is an issue that can be decided by the Presiding Officer of the Tribunal itself.

In that view of the matter, the Registry of the Debts Recovery Tribunal No.I at Kollkata shall accept and register the petitioner's application under Section 17 of the SARFEASI Act.

The actual fees, if any, payable, however, shall be the subject matter of the decision before the Presiding Officer of the Tribunal itself when he would consider the admission of the application.

It is absolutely made clear that the admission of the SARFEASI Application shall be considered strictly in terms of the Act and the Rules framed thereunder and the law of the land.

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.)***