

25-02-2022

ct no. 13

Sl.25

pk

**WPA 11856 of 2021
(CAN 1 of 2022)**

Brambhamoy Ghosh

-Versus-

State of West Bengal & Ors
(Via Video Conference)

Mr. S. Raja

... for the petitioner.

Mr. Soumalya Ganguli

... for the added respondent.

Mr. Abhishek Banerjee

... for the respondent nos. 4 and 5.

Mr. Sirsanya Bandopadhyay,

Mr. A. K. Nag

... for the State.

Since Uttam Pal, the auction purchaser, may be affected by the orders that may be passed in this proceeding, he is a necessary party.

Hence, Uttam Pal be added as party respondent in the instant proceeding.

Counsel for the petitioner shall effect the amendment in the cause title of the writ petition in course of the day.

Accordingly, CAN 1 of 2022 is disposed of.

The writ petitioner is aggrieved by an order passed by the District Magistrate under Section 14 of the SARFAESI Act, 2002. Since the petitioner has an efficacious and alternative remedy before the Debts Recovery Tribunal under the provisions of the SARFAESI Act, 2002, he may avail such remedy.

Hence, the writ petition is dismissed with liberty reserved to the petitioner as indicated herein above.

(Rajasekhar Mantha, J.)