

22nd July, 2022
(D/L No.16)
(SKB)

W.P.A. 10599 of 2022

Masrur Alam
-Versus-
Canara Bank and others

Mr. Swarup Banerjee,
Mr. Arindom Chatterjee,
Md. Salman
... for the petitioner.

Mr. Ayanabha Raha
... for the Bank.

Mr. Naba Kumar Das,
Mr. Subhabhrata Das
... for the State.

Md. Rehan
... for respondent no.6.

The grievance of the petitioner is non-furnishing of information by the concerned Bank. The petitioner is the borrower and the Bank is the secured creditor. The Bank issued a Sale Notice on 18th July, 2018 and the particular property was sold and followed by execution of the sale deed in favour of a auction purchaser sometime in August, 2018.

Learned counsel appearing for the Bank submits that the Bank is exempted from furnishing the replies to the queries of the petitioner under Section 8(1)(j) of The Right to Information Act, 2005.

Upon perusing the questions asked by the petitioner which were to the effect of providing the

valuation of the particular premises, the time of confirmation of sale, the reserve price of the premises and the entire balance sale consideration as well as the other relevant details with regard to the sale of the property in favour of the auction purchaser, this court is of the view that the information sought for comes within the exemption under Section 8(1)(j) of The Right to Information Act, 2005, besides, the sale notice being 18th July, 2018. Apart from the provisions of the RTI Act, which has been stated above, the information sought for by the petitioner appears to be a mere ploy to interfere with the proceedings taken by the Bank under the SARFAESI Act, 2002.

This court finds no merit in the present writ petition, which is accordingly dismissed without any order as to costs. Although, learned counsel for the petitioner submits that the Sale Notice was not served to the petitioner, this court cannot give any relief to the petitioner in terms of the Sale Notice of 2018 when the same has subsequently been confirmed in favour of the third party on August, 2018.

The report handed up by the State, though completely irrelevant, is taken on record.

(Moushumi Bhattacharya, J.)