

11.03.2022
Court No.13
Item No.23
sp

WPA 12644 of 2021

**Mrs. Tanaya Roy
Vs.
Punjab National Bank & Ors.**

(Through Video Conference)

Mr. Susanta Pal,
Mr. Arun Kr. Saha

... For the Petitioner.

Mr. Abhishek Banerjee,
Ms. Parna Roy Choudhury,
Ms. Payel Ghosh

... For the Bank.

Affidavit of service filed in Court today is taken on record.

The writ petitioner challenges a 'termination of sale' notice issued by the Punjab National Bank. It is submitted that the petitioner participated in the auction sale and was the successful bidder. He could not pay the entire sale consideration since his financier being another third party bank, had delayed funds to him.

This Court is of the view that the petitioner's remedy is before the Debts Recovery Tribunal under the SARFAESI Act, 2002. In the event the petitioner prefers any application, the Debt Recovery Tribunal may consider the same strictly in accordance with the SARFAESI Act, 2002 and any other relevant law.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)