

06.09.2022.
p.b.
Sl. No.38.

W.P.A. 14510 of 2022

Mangal Chand Maji
Vs.
The State of West Bengal & Ors.

Mr. S. P. Pahari,
Mr. Tapan Kr. Mahapatra.
.....for the petitioner.
Mr. Ritwik Pattanayak.
.....for respondents no.3 to 6.
Mr. Srijan Nayak,
Mr. Biplab Das,
Mr. P. S. Pal.
.....for the respondents.
Mr. Pappu Adhikari.
.....for the respondents no.8 & 9.
Mr. Nilotpal Chatterjee.
.....for the State.

Heard learned advocates appearing for the parties.

By this writ petition, petitioner has challenged the impugned sale certificate dated 24th March, 2021 by filing this writ petition on 6th July, 2022 i.e. almost after one year four months. Furthermore, learned counsel appearing for the bank authority being respondent nos.3 to 6 opposes this writ petition by contending that the petitioner has got statutory alternative remedy. Admittedly, learned advocate for the petitioner submits that remedy is available to it under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Considering the submission of the parties, without going into the merit of this case, in view of the availability of statutory alternative remedy, I am not inclined to entertain this writ petition being WPA 14510 of 2022 and the same is dismissed. However, dismissal of this writ petition will not prevent the petitioner from availing statutory alternative remedy under the aforesaid Act.

(Md. Nizamuddin, J.)