

03.08.2022  
Ct. 5  
D/L 10  
ab

**WPA 17029 of 2022**

**Momena Bibi**

**-Vs-**

**ICICI Bank & Ors.**

Mr. Pratip Mukherjee,  
Mr. Omar Faruk Gazi

... for the petitioner

Mr. Subhankar Chakraborty,  
Mr. Saptarshi Bhattacharjee,  
Ms. Ruchira Manna,

... for the respondent Bank

The only prayer of the petitioner is for a direction on the respondent Bank to consider the representation of the petitioner made on 6<sup>th</sup> July, 2022.

The petitioner seeks to make out a case that the petitioner is not connected with any proceedings, which may have been taken under The SARFAESI Act, 2002 against the borrowers. The petitioner claims that the petitioner is not the borrower in any transaction between the borrowers and the Bank. The petitioner, however, apprehends that the respondent Bank may take coercive steps against the petitioner at any point of time.

Learned counsel appearing for the respondent Bank submits that the respondent Bank has already

taken steps under The SARFAESI Act against the borrowers.

WPA 17029 of 2022 is accordingly disposed of with a direction on the respondent Bank to state its position in the form of considering the representation made by the petitioner on 6th July, 2022 within a period of two weeks from date, as suggested. The respondent Bank shall dispose of the said representation by passing a reasoned order after hearing the petitioner and any other relevant parties to the proceedings. A copy of the reasoned order shall be made available to the petitioner within a week from the date of passing such order.

( **Moushumi Bhattacharya, J.**)