

29.11.2022
Ct. 5
D/L 6
ab

WPA 17483 of 2022

Smt. Sonali Chatterjee

-Vs-

Reserve Bank of India & Ors.

Mr. Asis Bhattacharyya

... for the petitioner

Mr. Avishek Guha,
Ms. Akansha Chopra,
Ms. Debarati Das

... for the respondent no. 2

The petitioner seeks relief under The SARFAESI Act, 2002 and should be before the statutory forum available to the petitioner under The SARFAESI Act, 2002 which is the Debts Recovery Tribunal (DRT).

The petitioner, through learned counsel, says that the petitioner has already filed an application before the DRT in 2019 and more recent application in 2022 against the order of the District Magistrate, North 24 Parganas dated 18th March, 2020. According to counsel, the petitioner was communicated this order only in August, 2022 and has filed an application in DRT in August, 2022 itself. Counsel submits that the DRT is not taken up urgent applications of the nature, which has been filed by the petitioner.

Since the matter is entirely under The SARFAESI Act, 2002, this Court is not inclined to entertain the writ petition. The petitioner is given liberty to approach the DRT for appropriate relief and for urgent orders. It is expected that the DRT will consider the petitioner's case and the relief prayed for.

WPA 17483 of 2022 is accordingly dismissed without any order as to costs.

(Moushumi Bhattacharya, J.)