

9th September, 2022
(D/L No.19)
(SKB)

W.P.A. 19387 of 2022

Arkaprabha Deb and another
Versus
State Bank of India and others

Mr. Subhankar Nag,
Mr. Somnath Roy,
Mr. Shahrukh Raja
... for the petitioners.

Mr. Avishek Guha,
Mrs. Debarati Das,
Miss Akansha Chopra
... for respondent nos.3 & 4.

The affidavit of service is kept on record.

The petitioners seek relief against a possession notice issued by the respondent Bank. The ground for coming to the writ court is that DRT-3 is not functioning.

The petitioners should have been aware that the matters of DRT-3 were first assigned to DRT-1 and now to DRT Siliguri where litigants have given the option of appearing virtually before the said Bench. In any event, the petitioners have an efficacious statutory remedy under the SARFAESI Act, 2002 and should approach the designated forum under the SARFAESI Act, 2002.

W.P.A.19387 of 2022 is accordingly disposed of with liberty to the petitioners to approach the available statutory forum.

(Moushumi Bhattacharya, J.)