

Ct. 05
Item No.20
21.03.2023
(Suvendu)

WPA 609 of 2023

**M/s. Shreeram Chemicals
Vs.
The Indian Bank & Ors.**

Mr. Anil Chattopadhyay
Mr. Dinesh Pani

.....for the petitioner

Mr. Debashish Chakraborty
Mr. Rudra Dev Bagchi

.....for the Bank

It is evident that the statutory forum for the cause of action which is brought before this Court is the Debts Recovery Tribunal under the SARFAESI Act, 2002.

The petitioner made several representations before the respondent Bank, the last of which is of 2nd March, 2023. The Bank appears to have written to the petitioner on 9th January, 2023 advising the petitioner to regularize the account by depositing the entire dues failing which the Bank would proceed under the SARFAESI Act, 2002.

The petitioner has not filed any application before the DRT as on date.

Learned counsel appearing for the Bank is not sure whether the petitioner has exceeded the time limit available under Section 17(1) of the SARFAESI Act, 2002.

WPA 609 of 2023 is accordingly disposed of with liberty to the petitioner to approach the DRT for appropriate relief.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)