

25.09.2023

Sl no. 24

Ct no. 2

P.M.

WPA 13657 OF 2023

M/s. Ashok Kumar Chandra.

- Vs -

Union of India & Ors.

Mr. Sougata Mitra,
Mr. Rameshwar Sinha,
Ms. Soma Chakraborty
... for the petitioner

Mr. Sandeep Pal Chaudhuri,
Ms. Diya Nandi
... for Central Bank of India
Mr. Rananjay Chatterjee
... for Union of India

Heard learned advocates appearing for the parties.

Petitioner has filed this writ petition for relief of allowing the petitioner to file application under Section 17 of Securitization and Reconstruction of Financial Assessment and Enforcement of Security Interest Act (SARFAESI) by condoning the delay of 155 days in filing the said application while the statute prescribed forty five days for filing such application against any demand notice. There is no cogent and proper explanation for such delay. Admittedly loan has been taken and it has not been fully repaid and still it is due.

In such circumstances I am not inclined to entertain this writ petition being WPA 13657 of 2023 and accordingly the same is dismissed.

However, dismissal of this writ petition will not be a bar on the part of the petitioner and the respondent to settle the dispute.

(Md. Nizamuddin, J.)