

AD-22
Ct No.09
30.06.2023
TN

WPA No. 15001 of 2023

M/s Dhanwantary Diagnostic Centre and another
Vs.
The State Bank of India and others

Mr. Provankur Ghosh

.... for the petitioners

Mr. Pijush Kanti Roy,
Mr. Sourajit Mukherjee

.... for the respondents

In view of availability of an equally efficacious alternative remedy in the form of an application under Section 17 of the SARFAESI Act, which has already been availed of by the petitioner and is pending before the appropriate tribunal, this court chooses not to entertain the present writ petition.

WPA No. 15001 of 2023 is dismissed as not maintainable; however, with liberty to the petitioners to take all the points taken in the present writ petition before the tribunal where the petitioners' application is already pending.

Nothing in this order shall prejudice the parties in any manner whatsoever before the tribunal.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)