

September 18, 2023
AD 16
Court No.14
SG

WPA 19552 of 2023

Gobinda Das and another
vs
State of West Bengal and others

Mr. Ashim Kumar Ganguly
Mr. Tarak Karan

... for the State

Mr. Samrat Mukherjee
Ms. L. Dasgupta

... for the respondent Nos.7-9

No one appears for the petitioners.

Learned advocate for the respondent Nos.7 to 9 submits as follows. The petitioners had initially defaulted in making a payment in respect of purchase of a property at Mouza Balidanga, JL No.35, Plot No.807 & 808, Khatian No.207, RS Khatian No.654, Ward No.14, Bardhaman Municipality, Mohalla Baranilpur Suhirdpara, PO Sripally, PS Bardhaman Sadar, District Purba Bardhaman. Subsequently, the due payment was made and the loan account was upgraded and the private respondents are not pursuing the matter under the SARFAESI Act, 2002 any more including the instant one which they had initiated. They are not proceeding with Section 13(4) of the SARFAESI Act in view of the upgradation of the loan account.

Learned advocate for the State files a report, which is taken on record and submits that as intimated by the bank authorities at present the petitioners have no

overdues with the bank as they have upgraded the loan by deposit of the required amount. The bank authorities also informed the police that they would be taking no action under the SARFAESI Act in this regard.

As the prime grievance of the petitioners as contained in the prayer portion of the writ petition have been addressed, no further order need be passed.

Accordingly, the writ petition is disposed of without any order as to costs.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]