

11.05.2023.
Court No.13
Item No. 358
ap

W.P.A. No. 23517 of 2022
Shibananda Banerjee & Ors.
Versus
Inspector-in-charge, Bhangore Police Station and
others

Mr. Deep Bhattacharya.

...For the petitioners.

Mr. Wasim Ahmed,
Sk. Md. Masood.

... For State.

1. The petitioners are aggrieved that the private respondent/Bank, is taking steps to recover the sums of money lent and advanced against him.
2. Admittedly, a notice under Section 13(2) of the SARFAESI Act, 2002 has been issued on 26th July, 2021 demanding payment.
3. This Court is of the view that the demand for sums of money cannot be treated as any cognizable offence by the police. The petitioners may take steps in accordance with law, inter alia, under Section 17 of the SARFAESI Act, 2002.
4. With the aforesaid directions, the instant writ petition shall stand disposed of.
5. There will be no order as to costs.
6. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

