

18.10.2023
09
AN/Ct. No.07

CO 3480 of 2023

**Ranjan Biswas
versus
Bank of Baroda & ors.**

Mr. Ranjan Kali
Mr. Mitul Chakraborty
Ms. Anindita Maity

... for the petitioner

It appears from the order no. 38 dated 28.07.2023 that the SARFAESI application was dismissed for non-prosecution as the SARFAESI applicant has failed to comply with the order of the learned tribunal.

Learned counsel appearing for the petitioner submits that recording in the said order is not correct. If that is the stand of the petitioner then the proper course for the petitioner is to approach the learned tribunal by filing an application for review and not by filing an application under Article 227 of the Constitution of India before this Court.

With the above observations, the instant civil revisional application stands **disposed of**. The petitioner will be at liberty to take appropriate steps in accordance with law.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Hiranmay Bhattacharyya, J.)