

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 981 of 2023

S.A. Plywood Industry Private Limited & Anr.
-versus
Reserve Bank of India & Ors.

Mr. Amales Roy
Mr. Deborshi Dhar
... For the petitioners

Mr. Rahul Mishra
...For the respondents Central Bank

Affidavit of service filed in Court today is taken on record.

After hearing the parties, I find that the disputes raised by the petitioners relate to banking transactions which have proceeded to the stage of issuance of notice under Section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the “SARFAESI Act”). The law is well settled that no writ petition is maintainable once the process under SARFAESI Act is set on motion. The last of the judgment in this regard is reported in **2023 SCC OnLine SC 435 (South Indian Bank Ltd. & Ors. v. Naveen Mathew Philip & Anr.)**.

In view of the ratio laid down in the judgment in **South Indian Bank Ltd.** (supra), the writ petition is not maintainable and, as such, the same is dismissed.

Dismissal of this writ petition will not be an embargo on the petitioners agitating the same cause of action in accordance with law before appropriate forum.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Arindam Mukherjee, J.)