

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 05.08.2024

DELIVERED ON: 05.08.2024

**CORAM:
THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

**M.A.T. 200 of 2024
Sushila Emporium**

Vs.

The Union of India & Ors.

Appearance:-

**Mr. Sudhir Kumar Das
(Advocate-on-Record_**

.....for the appellant

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal by the unsuccessful writ petitioner is directed against the order dated 19th September, 2023 in W.P.A. 13388 of 2023.
2. In the said writ petition, the appellant had challenged a notice issued under section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for brevity 'SARFAESI Act') dated 4th May, 2022.
3. The learned Single Bench, considering the facts of the case, rightly declined to interfere with the said notice.
4. It needs to be pointed out that the SARFAESI Act is a complete code itself providing for hierarchy of remedies. The appellant cannot bypass the remedies

available under the Act and invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India.

5. Thus, we find no ground to interfere with the order passed by the learned Single Bench. Accordingly, the appeal stands dismissed.
6. No costs.
7. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

I agree.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)