

Court No. 9
(265711)

12.09.2024

(A 240)

(S. Banerjee)

WPA 5698 of 2024

Subhankar Mondal & Anr.

Vs.

State Bank of India & Ors.

Mr. Purnasish Gupta

Mr. Jayanta Kumar Mukhopadhyay

...for the petitioners

Mr. Debasish Saha

Mr. Hemraj Adhikary

Ms. Sucheta Pal

Mr. Avirup Roy

...for the respondent bank

The challenge to the order of the District Magistrate, Hooghly is not maintainable before this court.

The petitioners are at liberty to challenge such order before the appropriate tribunal, as per Section 17 of the SARFAESI Act. The question of limitation is kept open. The sale notice has not yet been issued, according to the bank.

The petitioners are granted liberty to approach the bank within 10 days, with their proposal for a onetime settlement. This is the last opportunity to the petitioner. The bank will reply within 10 days thereafter. For a period of one month therefrom (proposal and counter proposal) no coercive steps shall be taken by the Bank. However, it is made clear that after expiry of the period or upon rejection of the

proposal by the bank, whichever is earlier, the bank may proceed in accordance with law.

(Shampa Sarkar, J.)