

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

HEARD ON: 10.07.2024

DELIVERED ON: 10.07.2024

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

**M.A.T. 1361 of 2024
With
I.A. No. CAN 1 of 2024**

**Harpal Singh Johal & Anr.
Vs.
Indian Bank & Ors.**

Appearance:-

**Mr. Prasanta Kr. Roy
Mr. Sagnik Chatterjee**

.....for the appellants

Mr. Anirban Pramanick for the respondent no. 1/bank

JUDGMENT

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

1. This intra-Court appeal by third-parties seek to challenge an order dated 28th June, 2024 in W.P.A. 26516 of 2023 passed by the learned Single Bench in a writ petition filed by the respondent/bank, wherein the bank came with a grievance that in respect of the order passed by the District Magistrate, Paschim Bardhaman under section 14 of the SARFAESI Act, the police have not taken any action.

2. The learned writ Court has recorded that the requisite sum of Rs. 1,83,823/- has been deposited before the Commissioner of Police, Asansol Durgapur Police Commissionerate in November, 2023 itself.
3. Considering these facts, interim direction has been issued. The appellants claim to be tenants in the property. If the appellants are aggrieved by the order passed by the District Magistrate, their remedy lies elsewhere and such an appeal cannot be entertained. Accordingly, the appeal and the connected application (I.A. No. CAN 1 of 2024) are dismissed.
4. No costs.
5. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)