

05.09.2024
Sl. No.14(DL)
srm

W.P.A. No. 18811 of 2024

Bikram Sen & Ors.

Versus

The Punjab National Bank & Ors.

Mr. Prantick Ghosh,
Mr. Prasad Bhattacharyya

...for the Petitioners.

Mr. Abhishek Banerjee,
Ms. Parna Roy Choudhury,
Ms. Payel Ghosh

...for the Bank.

Affidavit-of-service is taken on record.

This Court does not find any reason to pass a mandatory order directing the sale certificate to be issued once again in the name of the petitioner No.1.

Records reveal that all the petitioners participated in the auction process and all the petitioners have been jointly issued the sale certificate, as per the rules. The petitioner Nos.2 to 4 want the bank to issue the sale certificate in favour of the petitioner No.1.

The Bank submits that as per the rules, whoever participates in the auction will be entitled to sale certificate.

In this case, all four petitioners participated together as one bidder and thus the sale certificate was issued in four

names. The other petitioners have the liberty to assign the certificate and the property in favour of the petitioner No.1, if they want to give up their claim. This will be an arrangement between the petitioner No.1 and the petitioner Nos.2 to 4.

However, the Bank will indicate to the petitioners why such change of name in the sale certificate is not permissible. Such decision will reach the petitioners within a period of one month from date.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)