

26.06.2024
Item No.9
gd/ssd

MAT/1565/2023
IA NO: CAN/1/2023
SUBIR MONDAL
VS
STATE OF WEST BENGAL AND ORS.

Mr. Amitesh Banerjee,
Mr. Tarak Karan
..for the State.

Mr. Abhishek Banerjee,
Ms. Parna Ray Choudhury,
Ms. Payel Ghosh
..for the Respondent Nos.5 to 7.

1. This intra court appeal is directed against the order dated 18.07.2023 in WPA 15581 of 2023 dismissing the writ petition where the appellant contended that there was police inaction.

2. The police had filed the report which was taken on record by the learned writ court which states that there is no truth in the allegation that the bank officials were creating problems for the appellant.

3. Admittedly, the appellant is a defaulter and recovery suit has been filed before the Debt Recovery Tribunal by the bank and there is also an order of attachment.

4. The learned advocate for the bank would submit that SARFAESI proceedings has also been initiated and citing the pendency of this appeal the

proceedings before the District Magistrate under Section 14 of the SARFAESI Act is being dragged on.

5. We find absolutely no grounds have been made out to interfere with the order passed by the learned Single Bench.

6. Accordingly, the appeal fails and the same is dismissed.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)