

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

HEARD ON: 30.09.2024

DELIVERED ON: 30.09.2024

**CORAM:
THE HON'BLE CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE BIVAS PATTANAYAK**

**M.A.T. 1650 of 2024
With
I.A. No. CAN 1 of 2024
WITH
I.A. No. CAN 2 of 2024
Dhananjay Kishore Chakraborty & Anr.
Vs.
The Punjab National Bank & Anr.**

Appearance:-

**Mr. Shounak Mukhopadhyay
Ms. Jeenia Rudra**

.....for the appellants

**Mr. Mohit Gupta
Mr. Kaushik Modak
Ms. Mousumi Pal**

.....for the respondents/Bank

JUDGMENT

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

1. This intra-Court appeal filed by the writ petitioners is directed against the order dated August 14, 2024 in W.P.A. 20536 of 2024, by which the writ petition filed by the appellants challenging a sale notice issued under the SARFAESI Act was disposed of giving liberty to the appellants to challenge

the sale notice in accordance with law before the Debts Recovery Tribunal within a week.

2. The order and direction issued by the learned Single Bench is perfectly valid and calls for no interference.
3. The learned advocate appearing for the respondents/bank submitted that the sale did not fructify and as such, the sale notice, which is impugned in the writ petition has worked itself out.
4. Thus, we find no ground to interfere with the order passed by the learned Single Bench. Accordingly, the appeal and the connected application (I.A. No. CAN 1 of 2024) are dismissed.
5. It is submitted by the learned advocate for the appellants that a fresh sale notice has been issued. If that be so, it will be well open to the appellants to challenge the same before the Debts Recovery Tribunal.
6. In the light of the above order, I.A. No. CAN 2 of 2024 is disposed of.
7. No costs.
8. 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.

(BIVAS PATTANAYAK, J.)