

Sl.No.
9 05.12.2024
Court
No. 35
G.S.Das

WPA 28402 of 2024

Pradip Ghosh
-Vs-
The State of West Bengal & Ors.

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Ms. Tasnim Ahamed
Mr. Ezaz Ahmed
... for the petitioner(s)

Mr. Joydip Banerjee
Mr. Prabir Kr. Ray
... for the State-respondent(s)
Ms. Tutul Das
Mr. Ratul Deb Banerjee
... for the respondent nos. 5 and 6

Affidavit of Service so filed be

kept with the record.

The petitioner is a defaulter and,

as such, the property was taken

possession of by the respondent no.5.

Learned advocate appearing for

the petitioner submits that the property

which has been taken possession of by

the respondent no.5 pursuant to a

direction passed, is not the scheduled

property which was kept as collateral.

If the schedule of the property which the petitioner complains of is questionable or in doubt, the same may be brought to the notice of the Tribunal which is empowered to deal with the provisions of the SARFAESI Act.

A report has been submitted by the learned advocate for the State, which reflects that the police authorities have only rendered assistance and do not have anything to do with the merits of the matter and/or schedule of the property which has been taken possession of by the respondent no.5. As such, I find no merit in the writ petition.

With the aforesaid observations, WPA 28402 of 2024 is **dismissed**.

Report so submitted be kept with the record.

The dismissal of the writ petition will not preclude the petitioner from approaching the Tribunal under the SARFAESI Act.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)