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31.07.2024
Ct. No.02
NB

HIGH COURT AT CALCUTTA
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction

WPA 919 of 2024

Sukhendra Nath Banik & Anr.
Vs.
The State of West Bengal & Ors.

Ms. Sunandita Banik
...petitioner no.2 appearing in person.

Mr. Hirak Barman,
Ms. Bedashruti Bose.
...for the State.

Mr. Rahul Misra,
Mr. Deborshi Dhar.
...for the Central Bank of India.

The petitioner no.2 appearing in person through video conference and representing both the petitioners submits as follows. The father of the petitioner no.2 being the petitioner no.1 is not in a position to come and do the matter or engage a learned advocate. He had applied for loans before several banks, but the banks have been ignoring him. Besides, the petitioner also wants to know whether there is any loan account of the petitioner with any of these banks. The banks did not even respond to his queries in this regard.

Learned counsel appearing on behalf of the respondent no.5/bank submits that a loan is not a matter of right. It is only if the bank considers that the borrower is able to repay the sum and fulfills other conditions that loans

are given. No notice has been sent by the Bank to the petitioner in respect of any loan account.

Upon query, the petitioner no.2 submits that no notice has been sent by any bank in respect of any loan account allegedly maintained by the petitioners with any of those banks.

Loan is not a matter of right. It is for the banks to consider whether the petitioners are eligible to get loan from a particular bank. This is purely a private issue between two entities. The Court has no role in this.

It also appears that none of the banks have actually sent any notice to the petitioners in respect of any alleged loan account maintained by any of the petitioners. Thus, the apprehension of the petitioners in this regard is absolutely unfounded.

Therefore, I find no merit in this application. Accordingly, the same is dismissed, however, without any order as to costs.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)