

OD 6

WPO/4/2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

SHIULI BHATTACHARYA
VS
UNION OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 18th January, 2024.

Appearance:
Mr. Rahit Banerjee, Adv.
Mr. Arindam Paul, Adv.
...for the petitioner

Mr. Tilak Mitra, Adv.
Mr. Prithu Dudhuria, Adv.
...for Union of India

Mr. Sayantan Bose, Adv.
Mr. Sattik Rout, Adv.
...for the respondent no.6

The Court: A report filed by the Union of India in terms of the previous direction of Court today be kept on record.

A copy of the same is handed over to learned counsel for the petitioner here and now. It transpires therefrom that the auction schedule to be held has already been conducted and the highest bid amount received through all the three modes of auction was Rs.6.76 crore. On January 16, 2024, when the matter has been taken up by this Court, it was indicated by learned counsel for

the petitioner that the petitioner has sentimental ties with the property sought to be auctioned and wished to match the price and get back the property. However, since the property has already been put up on auction and a successful bid has been received, there is no scope for the petitioner to foreclose the mortgage.

It may be indicated here that upon query of Court, the petitioner was not willing on the previous date of hearing to participate in the e-auction but only sought to ascertain the value fetched for the property.

In view of the auction having already taken place and third party rights having been created, there is no scope of interference in the present writ petition.

Accordingly, WPO/4/2024 is disposed of as infructuous.

No order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the parties subject to compliance with the requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)