

M/L 188
24.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 357 of 2025

Sonali Dutta
Vs.
The State of West Bengal & Ors.

Mr. Mit Guha Roy
Ms. Isha Jaiswal

...for the Petitioner.

Mr. Somnath Ganguli, Sr. Adv., AGP
Mr. Sk. Md. Masud

...for the State

Mr. Anirban Pramanick
Mr. Punarbasu Nath
Ms. Bhagyashree Dey

...for the respondent nos. 5,6,7&8.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner was aggrieved by the notice dated 10th December, 2024 which was affixed by the City Union Bank Limited over his property for taking physical possession of the same in terms of the order passed by the District Magistrate, South 24 Parganas under the SARFAESI Act. The description of the scheduled property is mentioned in the notice.
3. Learned advocate representing the City Union Bank Limited submits, upon instruction that, the said notice was inadvertently affixed over the petitioner's property. The property which is mortgaged with the City Union Bank Limited is different from the property of the petitioner and the bank does not have any claim over the petitioner's property. A communication by the bank dated 26th December, 2024 addressed to the petitioner bearing O/C No- 4165 signed by the authorized officer has been placed before this Court.

4. Upon hearing the parties and on perusal of the documents placed before this Court, it appears that, the petitioner ought not to have any grievance as the bank has disclosed their error in affixing the impugned notice over the petitioner's property. By implication, the impugned notice appears to have been quashed by the bank itself.
5. The writ petition, accordingly, stands disposed of.
6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)