

D/L 16
04.03.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 784 of 2025

Nasir Middy & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder
Mr. Indranil Halder

...for the Petitioners.

Ms. Soni Ojha
Ms. Sambrita B. Chatterjee

...for the Bank.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners are aggrieved by the steps taken by the District Magistrate, Howrah under Section 14 of the SARFAESI Act, 2002.
3. The Bank approached the District Magistrate, Howrah seeking assistance to take possession of the secured asset.
4. The petitioners submit that, the District Magistrate passed an ex parte order without granting any opportunity of hearing to the petitioners who are the borrowers of the loan.
5. Section 17 of the SARFAESI Act provides necessary relief to an aggrieved party in case the bank or the financial institution takes any measure to recover the loan.
6. It will be open for the petitioners to approach the competent forum, for relief, if so advised.
7. The writ petition stands dismissed.
8. 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.)