

M/L 194
24.02.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 1605 of 2025

MS CHARIOT DISTRIBUTORS & CO

Vs.

The Bank of Baroda & Ors.

Mr. Dr. R.P. Motilal
Mr. Shubham Banerjee

...for the Petitioner.

Mr. Saikat Sen

...for the State.

Mr. N. Srinivas
Mr. Manoj Kr. Singh
Mr. Tirthankar Das

...for the respondent nos. 1-4.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioner applied before the Debts Recovery Tribunal challenging the order passed under Section of 14 of the SARFAESI Act by the District Magistrate, North 24 Parganas.
3. On dismissal of the said application, the petitioner has approached this Bench under Article 226 of the Constitution of India challenging the order of the District Magistrate all over again.
4. This Court is of the opinion that, as the order of the District Magistrate was already under challenge before the Debts Recovery Tribunal, and the said application of the petitioner stood dismissed, the remedy of the petitioner will not lie before this Bench under Article 226 of the Constitution of India.
5. It will be open for the petitioner to challenge the order of the Tribunal before the competent forum, if so advised.
6. The writ petition stands dismissed.
7. All points in the writ petition are kept open for the petitioner to be agitated before the appellate forum.

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.)