

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**W.P.A. 1694 of 2025
With
CAN 1 of 2025**

**Shri Subrata Joardar
-versus
State Bank of India & Ors.**

**Mr. Biswaroop Biswas.
Ms. Anita Das.
...For the Petitioner.**

**Ms. Pinki Chakraborty.
... For the respondent nos. 1 to 6.**

**Mr. Moyukh Mukherjee.
Ms. Sagnika Banerjee.
Mr. Samrat Mondal.
Mr. K. Bhattacharya.
... For the private respondent.**

1. Supplementary affidavits filed by the petitioner in Court are taken on record. Copy of the same has been circulated.

2. The petitioner and his wife took loan from the State Bank of India and the loan amount was recovered from the salary account of the petitioner. The petitioner has subsequently taken voluntary retirement and alleges that he is not in a position to repay the loan amount from the meager amount of pension that he is allegedly receiving.

3. The petitioner prays for a direction upon the Bank to take steps to sell off the property on auction under the SARFAESI Act.

4. The wife of the petitioner who has an acrimonious relationship with him and who stays in the

house purchased on loan raises objection to the prayer made by the petitioner. The wife contends that the petitioner intends to sell off the house to render her homeless.

5. As the loan was taken jointly by the petitioner and his wife, accordingly, it will be highly improper to direct the bank to take in the matter relying upon the submission of the petitioner.

6. The Bank shall take steps in the matter in accordance with law.

7. The writ petition stands disposed of.

8. The application being CAN 1 of 2025 also stands disposed of.

9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)