

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

Ct.551 10.11.25

Item No.03 Sws.M

WPA 1837 of 2025

**Sudarshan Dey
Vs
Reserve Bank of India &Ors.**

Ms. Pampa Dey (Dhabal)
...for the petitioner

Mr. Debabrata Das
Mr. A. Sarkar
Mr. Pratik Acharjee
....for the respondent No. 1

Mr. Rahul Sarkar
Ms. Dipika Sarkar
...for the respondent No. 2

1. The instant writ petition is directed against a notice of sale through auction dated November 25, 2022 taken out by the UCO Bank in terms of Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with Rule 8(6) of the Security Interest (Enforcement) Rules, 2002.
2. The point that a writ petition should ordinarily not be entertained against measures taken by a Bank under Section 13(4) of the said Act of 2002, has been long settled by a plethora of authorities by the Hon'ble Supreme Court starting from the case of ***United Bank of India vs. Satyawati Tandon***, reported at ***AIR 2010 SC 3413***.

3. Since the petitioner has an equally efficacious and alternative remedy available before the Debts Recovery Tribunal under Section 17 of the said Act of 2002, against the action impugned herein the instant writ petition is not entertained.
4. It is also noted that the impugned notice of auction is dated November 25, 2022 and the writ petition challenging the same suit has been filed on January 22, 2025 without any explanation as to what prevented from the petitioner carrying the matter to Court earlier. This is an additional ground to refuse to exercise discretion under Article 226 of the Constitution of India.
5. In such view of the matter, **WPA 1837 of 2025** stands **dismissed**.
6. There shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of necessary formalities.

(Om Narayan Rai , J.)