

M/L 197  
24.02.2025  
Court No.14  
PRADIP

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION

WPA 1877 of 2025

Sabita Banik & Ors.  
Vs.  
State of West Bengal & Ors.

*Mr. Souri Ghosal*  
*Mr. Swapna Das*  
*Mr. Arpan Patra*

*...for the Petitioners.*

*Ms. Aparajita Ghosh*  
*Mr. Souvik Ghosh*

*...for the respondent nos. 2&3.*

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners are aggrieved by the steps taken by the Bank under the provisions of the SARFAESI Act.
3. It appears that, there is a dispute between the petitioners, the developers and the borrowers in respect of the property. According to the Bank, the petitioners purchased the property by taking loan from the bank. Learned advocate for the petitioners denies the aforesaid submission.
4. Be that as it may, the Writ Court is not empowered to adjudicate such disputed questions of facts. The provisions under the SARFAESI Act may be availed of by the aggrieved party, if so advised.
5. The writ petition stands dismissed.
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.)**