

2411
2025
MONDAY

Court : MB-24
Item : AD-10
Status : DISMISSED
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 5210 OF 2021

Shri Mahavir Rath
VS.

United Bank of India (Merged with PNB) & Ors.

Mr. Nikhil Kumar Gupta, Advocate
Ms. Laboni Bar, Advocate

.....for the Petitioner

Mr. Abhishek Banerjee, Advocate
Ms. Parna Roy Choudhury, Advocate
Ms. Payel Ghosh, Advocate

.....for the Respondent-Bank

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner seeks enforcement of a settlement proposal by way of issuance of a writ, directing the Bank to accept the enforcement proposal suggested by the petitioner.
3. This is, after an application under Section 17 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, the said Act) has already been dismissed on 28.11.2018, due to the petitioner's inability to proceed with the same. In fact, the proposal of the petitioner of 29.03.2019 has already been rejected by the Bank as would appear from their communication dated 01.06.2019, a copy whereof is kept with the record.
4. In view of the afore-stated, the petitioner's remedy lies before an alternative and efficacious forum instituted for this purpose. This writ-petition must fail.
5. Accordingly, **WPA 5210 of 2021 is dismissed**. No order as to costs.

(REETOBROTO KUMAR MITRA, J.)

