ML 98
11.06.2025
d.p.

In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

W.P.A 5173 of 2025

Mr. Tushar Kanti Dey & Anr.
-versus
The Union of India & Ors.

Mr. Dhiman Ray,
Mr. Pritam Modak,
Mr. Dip Chanda.
...For the Petitioners.

Ms. Aparajita Rao,
Ms. Nabanita Dutta.
...For the Bank.

Mr. Debabrata Das,
Mr. A. Sarkar,
Mr. Pratik Acharjee.
...For the Respondent No.2.

1. Affidavit of service filed in Court today is taken on record.

2. The petitioners seek consideration of the request made for regularization of the account declared as non-performing asset (NPA) by the Bank.

3. It appears that the loan account of the petitioners was classified as NPA on 19th September, 2022. The due amount on 14th October, 2022 stood as Rs.24,85,489.10/-.

4. The prayer of the petitioners was considered by the Bank and by a communication dated 1st February, 2025, the petitioners were intimated that the total outstanding of Rs.30,22,628.10/- was due and payable.

5. The petitioners were further intimated that recovery proceeding by the Bank was already in process.

6. Learned advocate appearing on behalf of the Bank submits that at this stage, there is no scope for regularizing the NPA account of the petitioners. They ought to pay off the entire dues.

7. During the course of argument, it has been brought to the notice of the Court that the securitization application filed by the petitioners is pending consideration before the Debts Recovery Tribunal.

8. Without entering into the merit of the petitioners' prayer seeking regularization of the loan account declared as NPA, the instant writ petition is disposed of by observing that it will be open for the petitioners to raise all issues before the Debts Recovery Tribunal for relief.

9. The writ petition stands disposed of.

10. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)