

ML 106
11.06.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 5702 of 2025

**Subrata Mondal
-versus
Bank of India & Ors.**

**Mr. Rabindra Kumar Mitra,
Mr. Sourjya Das,
Ms. Poulami Bhowmick.
...For the Petitioner.**

**Mr. Debashis Saha,
Mr. Avirup Roy Sanyal.
...For the Bank.**

**Mr. Tanish Ganeriwala,
Mr. Debabrata Das,
Mr. A. Sarkar,
Mr. Pratik Acharjee.
...For the Respondent No.5.**

1. The petitioner is aggrieved by the steps taken by the Bank to recover the loan amount in accordance with the provisions of the SARFAESI Act.

2. According to the Act any person aggrieved by any step taken by the secured creditor to recover the loan amount ought to approach the Debts Recovery Tribunal.

3. As the proceeding relates to the SARFAESI Act, the writ Court is not inclined to entertain the same.

4. It will be open for the petitioner to approach the competent forum for relief in accordance with law, if so advised.

5. The writ petition stands disposed of.

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

(Amrita Sinha, J.)