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17.03.2025
d.p.

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

W.P.A 5856 of 2025

**Souvik Chakraborty & Anr.
-versus
The Bank of Baroda & Ors.**

**Mr. Kishore Mukherjee,
Mr. Ahitagni Dey.
...For the Petitioners.**

**Mr. Dipanjan Datta.
...For the Bank.**

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

2. The petitioners are defaulting borrowers. The Bank is taking steps to recover the due amount.

3. The one-time settlement proposals made by the petitioners have not been accepted by the Bank.

4. Learned advocate appearing on behalf of the petitioners submits that the petitioner no. 2 is nearly 80 years of age and the petitioner no. 1 is a disabled person and it will not be possible for the petitioners to pay off the due amount immediately. Some time has been sought for from the Bank for clearing the due amount.

5. Learned advocate appearing on behalf of the Bank submits that the loan account was declared as non-performing asset way back in 2009.

6. As per communication made by the Bank on 13th March, 2025, the total outstanding dues in the loan account is Rs.5,12,095/- and the total contractual dues

as on date is Rs.12,98,756.64/-. The petitioners offered an upfront of Rs.2,50,000/-.

7. An order under Section 14 of the SARFAESI Act has been passed by the District Magistrate and the Bank is taking steps to execute the same.

8. As it appears that both the borrowers are suffering from various medical ailments and the NPA amount is Rs.5,00,000/ and odd, the Bank is requested to take a sympathetic approach to recover the due amount.

9. The petitioners are directed to cooperate with the Bank and try to arrive at a solution.

10. The Bank is directed to take a call in the matter at the earliest but positively within a period of 30 days from the date of communication of this order.

11. Till a decision is taken by the Bank, the order under Section 14 of the SARFAESI Act may not be executed.

12. The writ petition stands disposed of.

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

(Amrita Sinha, J.)