

M/L 133
18.06.2025
Court No.14
PRADIP

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 8033 of 2025

**Aloke Ranjan Das & Anr.
Vs.**

State Bank of India & Ors.

Mr. Rabindra Kumar Mitra
Mr. Sourjya Das
Ms. Poulami Bhowmick

...for the Petitioners.

Mr. Debashis Saha
Ms. Sucheta Pal
Mr. Hadiqua Islam

...for the SBI.

Mr. Debabrata Das
Mr. A. Sarkar
Mr. Pratik Acharjee

...for the RBI.

1. Aggrieved by the steps taken by the bank under Section 13(2) of the SARFAESI Act, the petitioners made a representation seeking restructuring of the loan account.
2. The bank, instead of replying to the representation of the petitioners, proceeded to issue a notice under Section 13(4). The petitioners challenge the same.
3. At this stage, it appears that the petitioners ought to challenge the subsequent notice under Section 13(4) before the competent forum.
4. The instant writ petition is disposed of by observing that, it will be open for the petitioners to approach the competent forum in accordance with law for remedy, if so advised.
5. As the petitioners pray for restructuring of the loan, the bank may take steps to consider the representation filed

by the petitioners seeking restructuring of loan and communicate the decision of the bank to the petitioners.

6. The writ petition stands disposed of.

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

(Amrita Sinha, J.)