

M/L 138
23.06.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 8293 of 2025

The Nabadwip Co-Operative Credit Bank Ltd. &
Anr.

Vs.

The Union of India & Ors.

Ms. Deblina Lahiri
Mr. Mrinmoy Chatterjee

...for the Petitioners.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners are aggrieved by the communication made by the District Magistrate and Collector, Nadia on 20th February, 2025 intimating the petitioners that the matter has been referred to the Department of Co-Operation, Government of West Bengal for seeking clarification of the preview of the SARFAESI Act, 2002 in respect of the Nabadwip Co-Operative Credit Bank Ltd.
3. Learned advocate for the petitioners submits that after the order is passed under Section 14 of the SARFAESI Act, the District Magistrate becomes *functus officio* and does not have any power whatsoever to withdraw from the direction passed in the Section 14 application.
4. Upon hearing the petitioners and on perusal of the documents placed before this Court, it appears that the Kolkata Debts Recovery Tribunal-2 is already in seisin of the matter. Date was fixed on 11th March, 2025 for final hearing of the securitization application.

5. The Debts Recovery Tribunal was alive of the fact that the District Magistrate had considered and passed order in the application made under Section 14 of the SARFAESI Act.
6. In view of the above, the Court is not inclined to entertain the instant writ petition. The writ petition fails and is hereby dismissed.
7. It will be open for the petitioners to approach the Debts Recovery Tribunal for relief in accordance with law, if so advised.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)