

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

Ct.551 **16.06.25**
Item No.9 Sws.M

WPA 10126 of 2025

**Gajlur Rahaman Sekh
vs.
Union of India & Anr.**

Mr. Ayan Boral
Mr. Amanul Islam
Mr. Sourav Mukherjee
....for the petitioner

Mr. Anna Molhotra
Mr. Rishav Maity
...for the respondent No. 2

Affidavit-of-service filed today be kept on record.

The writ petitioner seeks issuance of a writ of mandamus upon the respondent No. 2, i.e., Tata Motors Finance Limited “directing the respondent no. 2 not to take the possession of the vehicle Goods Carrier being Engine No. B6A250D02122G64224524 manufactured by Tata Motors Limited having model name Tata LPT 4825BSVI10X2 bearing Registration NO. WB-51C5405 colour Yellow”.

Tata Motors Finance Limited is a private entity. It is well settled now that a writ petition cannot be entertained against a private entity or against any entity that does not answer the definition of a “State” under Article 12 of the Constitution of India.

The petitioner submits that the writ petition may be entertained since the respondent No. 2 is a financial institution. Such submission of the petitioner does not hold

good in view of the judgement of the Hon'ble Supreme Court in the case of *Federal Bank Ltd. vs. Sagar Thomas and others*, reported at (2003) 10 SCC 733.

In such view of the matter, this writ petition is not entertained. Accordingly, WPA 10126 of 2025 is dismissed.

There shall be however no order as to costs.

(Om Narayan Rai , J.)