

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

Ct.551    **16.06.25**  
Item No.10    Sws.M

**WPA 10346 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 manufactured by Ashok Leyland Limited having Chassis No. MBINECHDXNPETO242 being No. WB-51C-5705, Engine No. NEPZ126119 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 10346 of 2025 is dismissed.

There shall be however no order as to costs.

**(Om Narayan Rai , J.)**