

D/L 12
09.07.2025
Bpg.
ct.no.35

W.P.A.11162 of 2025

**Dhanlaxmi Bank Limited & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Ayan Bhattacharjee
Ms. S. Laha.
...for the petitioners.

Mr. Suman Sengupta
Mr. Sambuddha Dutta.
...for the State-respondents.

Affidavit-of-service filed by the petitioners be
kept with the record.

Petitioners complain that after possession of
the following property being “All that the piece and
parcel of land and building measuring an area of
about 3 Cottahs 3 chittacks 40 sq.ft. comprised in
J.L. No.32 Touzino, 268 R.S. N.70 R.S. Dag No.493
R.S. Khatian No.104 Mouza- Subudhipur, Police
Station Baruipur, District South 24 Parganas” was
taken by the petitioners/bank with the aid and
assistance of the police authorities, subsequently, the
guarantors of the loan have trespassed and occupied
the property. To that effect, representations have been
repeatedly made with the police authorities including
the Superintendent of Police, Baruipur Police District.

The Superintendent of Police, Baruipur Police District through his designated Officer would conduct an enquiry as to whether the persons who are in possession of the property are guarantors in respect of the loan for which the bank authorities exercised their powers under the SARFAESI Act. In case the persons who are found to be in possession are guarantors, the bank authorities would exercise their powers under the SARFAESI Act. If police assistance subsequently is required, a fresh application to that extent would be made before the police authorities adhering to the provisions of the SARFAESI Act.

With the aforesaid observations, WPA 11162 of 2025 is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)