

ML- 129
09.07.2025
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 12019 of 2025

**Mrs. Rita Pal & Ors.
-versus-
State of West Bengal & Ors.**

**Mr. Rahul Das.
Mr. Debanjan Banerjee.
...For the Petitioners.**

**Mr. Anjan Chakraborty.
... For the respondent nos. 6 and 7.**

**Ms. Kalpita Paul.
... for the State.**

1. Affidavit-of-service filed in Court today is kept with the records.

2. The petitioners are repeatedly approaching this Court under Article 226 of the Constitution challenging the action taken by the Bank for recovery of the loan amount under the SARFAESI Act.

3. In the earlier writ petition filed by the petitioners being WPA 6756 of 2025, order was passed by the Court on 27th March, 2025 observing that it will be open for the petitioners to approach the learned Tribunal for necessary relief.

4. It appears that the petitioners have already approached the Tribunal. The application of the petitioners is pending consideration.

5. The Bank, however, is continuing with the proceeding to recover the loan amount.

6. I am of the opinion that as the petitioners have already approached the statutory Tribunal, accordingly, it will be open for the petitioners to raise all issues before the Tribunal for necessary relief.

7. The steps taken by the Bank shall be subject to the orders passed by the learned Tribunal.

8. The instant writ petition stands disposed of.

9. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)