

06-08-2025
Item No.193 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.13234 of 2025
Amitava Biswas & Anr.

-vs-

The Reserve Bank of India & Ors.

Mr. Ayan Mitra
Mr. Chandan Mondal
Ms. Anupriya Bhattacharya
Mr. Shibananda Neogi
Ms. Monalisa Mukherjee
Mr. Anjan Banik ...for the petitioners

Mr. Debabrata Das
Mr. A. Sarkar
Mr. Pratik Acharjee ...for Reserve Bank of India

Ms. Aparajita Ghosh
Mr. Souvik Ghosh ...for Canara Bank

1. Pursuant to an order passed under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, Canara Bank has already taken possession of the petitioner's secured asset. The petitioner has preferred a securitization application before the Debts Recovery Tribunal which is pending consideration.
2. The petitioner has already been dispossessed from the secured asset and prays for restoration of possession of the same.
3. As the petitioner has already approached the Debts Recovery Tribunal which is the competent forum under the statute to pass necessary order in this regard, accordingly, it will be open for him

to pursue the said application.

4. The learned Tribunal will consider the application of the petitioners on merits within a reasonable period of time.
5. The writ petition stands disposed of.
6. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
7. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]