

ML 116
25.02.2025
Ct. 14
AGM

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

W.P.A 14761 of 2024

**Gayatri Chakraborty
-versus
The State Bank of India & Ors.**

**Mr. Anindya Bose.
Mr. Santanu Maji.
...For the Petitioner.**

1. The petitioner is aggrieved by the order passed by the Debts Recovery Tribunal directing breaking open the entrance of the schedule C property which belongs to the petitioner.
2. The petitioner states that she is not a party in the proceeding before the Tribunal. No order ought to have been passed without affording an opportunity of hearing to the petitioner. There is violation of the principles of natural justice.
3. It appears that steps were taken by the Bank under the provisions of the SARFAESI Act. There is an appellate authority before which the petitioner can ventilate her grievance.
4. In the event the petitioner intends to revert back to the Debts Recovery Tribunal she will be at liberty to do so in accordance with law.
5. It will be open for the petitioner to pray for interim order before the Debts Recovery Tribunal or the Appellate Tribunal in accordance with law, as may be advised.
6. The writ petition stands disposed of.

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

(Amrita Sinha, J.)