

15.07.2025

Court No. 35

D/L. No.89

Rakib

W.P.A. 13906 of 2025

Indian Bank & Ors.

VS

The State of West Bengal & Ors.

Mr. S. Pal Choudhuri.

...for the Petitioners.

Mr. Rajarshi Basu,

Mr. Arun Kr. Saha.

...for the State.

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

Petitioner bank has approached this Court for removal of goods of the borrower in respect of a property wherein possession has been taken by the bank.

State has submitted a report. Report reflects that case has been instituted at the behest of the private respondents being Parnasree Police Station case no. 109 dated 12.02.2025 as also Parnasree Police Station case no. 110 dated 12.02.2025 which was initiated on the basis of a recovery agent of the bank. There are other cases also being Parnasree Police Station case no. 381 dated 15.05.2025 (on the basis of complaint of the bank) and Parnasree Police Station case no. 382 dated 21.05.2025 (on the basis of a complaint lodged by one Debjoyoti Biswas against the Bank).

Case no. S.A. 230/2024 as is claimed is pending before the Debts Recovery Tribunal-III, Kolkata.

Having considered that the Debts Recovery Tribunal is in seisin of the issue, as such for necessary police assistance, the petitioner bank would approach the Debts Recovery Tribunal in the pending case. No interference can be made by this Court in respect of the prayers so canvassed by the petitioner bank.

With the aforesaid observations WPA 13906 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)