

13-01-2025
Item No. 178
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.15175 of 2024
Santanu Karmakar
-vs-
The State of West Bengal & Others

Mr. Parashar Baidya ...for the petitioner

Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh
Ms. Indrani Majumdar ...for the bank

1. It is submitted that the petitioner obtained a loan facility from the bank for purchasing a vehicle. On account of non-repayment of the loan amount the vehicle was repossessed by the bank and has since been sold.
2. Prior to the auction being conducted for sale of the vehicle, the petitioner was put on notice. The petitioner was unable to meet the dues of the bank.
3. Since the vehicle has since been sold, the petitioner seeks compensation. Specific case of the petitioner is that the bank could not have taken forceful possession of the subject vehicle contrary to the law laid down by the Hon'ble Supreme Court.
4. As it appears that the subject vehicle has already been sold, the court is not inclined to give any relief to the petitioner.
5. It will be open for the petitioner to seek compensation from the appropriate court in accordance with law.

6. The writ petition is dismissed.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]