

28
jdt. 28.07.2025
jb.

WPA 14348 of 2025
(Biswajit Dey vs. Union of India & Ors.)

Mr. Samim Ahmed
Mr. Arka Maiti
Ms. Ambia Khatun
Mr. Enamul Islam
Mr. Nasirul Haque
Mr. Asif Hossain
... For the Petitioner

Mr. Sujit Bhunia
... For the Union of India

Mr. Soumalya Ganguli
... For the Respondent nos. 2 and 3

1. Affidavit in reply filed by the petitioner is taken on record.
2. Learned advocate representing for the petitioner and the learned advocate representing the Union Bank have produced before this Court copy of the title deed in respect of the property which is allegedly mortgaged to the Bank.
3. On a perusal of the same with the bare eyes it is absolutely impossible to differentiate in between the two deeds produced by two different parties in Court today. Copy of the deeds are directed to be submitted in Court for retaining the same on records.

4. As the Bank has taken steps in terms of the SARFAESI Act and claims to have granted loan by keeping the title deed of the property in mortgage, as such, the Bank may proceed in accordance with law for recovery of the loan amount.
5. Learned advocate for the petitioner has been made aware of the details of the original proceedings where the petitioner has been impleaded as party. It will be open for the petitioner to enter appearance and make all necessary submission in his defense.
6. The writ petition stands disposed of.
7. Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Amrita Sinha, J.)