

24-10-2025
Item No.247 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.17158 of 2025

Sri Ankan Tah

-vs-

The State of West Bengal & Ors.

Mr. Debashis Banerjee
Mr. Bikramjit Mandal ...for the petitioner

Mr. Jahar Lal De, AGP
Mr. Debasish Chakraborty ...for the State

Mr. Sukanta Ghosh
Mr. Arghya Chatterjee ...for PNB

1. The petitioner claims to be a successful auction purchaser of a property under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Grievance is that physical possession of the property has not been handed over till date. Prayer has been made to direct the bank to hand over peaceful possession of the auctioned property.
2. Learned counsel for the Punjab National Bank submits, upon instructions that, proceeding under Section 14 of the 2002 Act is pending before the competent authority. The bank admits payment of the auctioned amount by the auction purchaser.
3. Upon hearing the respective submissions made on behalf of the parties, it appears that the bank already received the payment on auction from the

successful bidder. It will be the obligation and the responsibility of the bank to deliver possession of the auctioned property to the successful bidder.

4. The writ petition stands disposed of by directing the bank to take all necessary steps to ensure that the possession of the auctioned property is handed over to the petitioner being the successful auction purchaser in accordance with law at the earliest without any further delay.
5. The competent authority under Section 14 shall keep in mind the time period prescribed under the 2002 Act to take steps under the aforesaid provision.
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]

