

D/L 36
05.08.2025
ct.no.35
Kausik

W.P.A. 17493 of 2025

**Kotak Mahindra Bank Limited & Anr.
Versus
The Officer-In-Charge, Shakespeare Sarani Police
Station & Anr.**

Mr. Pratik Ghose
Mr. Avishek Roy Chowdhury

...for the Petitioner.

Mr. Sourav Chatterjee, Sr. Adv.
Mr. A. Kanodia

...for the Intervener/Applicant
in SA 369/25 before DRT – I.

Mr. Debarghya Basu
Mr. Sourav Roy

...for the Intervener for Anchor
Investments Pvt. Ltd. In Misc
Appeal Diary No. 742 of 2025.

Mr. Rudrajit Sarkar

...for the Intervener (Happy
Bengal Ventures Pvt. Ltd.).

Ms. Sonal Sinha
Ms. Ashmita Chakraborty

...for the State.

Petitioner is aggrieved by the inaction of the
police authorities and as such has approached this
Court.

State has submitted a report. Police
authorities in their report has submitted that the
petitioner/Bank should approach the learned CJM

for scheduling regarding the possession and for intimation to the police authorities regarding necessary police assistance subject to payment of police cost as per applicable norms.

Learned advocate appearing for an intervener submits that he is an applicant in SA 369 of 2025 which is pending before the DRT-I, Kolkata.

Another intervener appears and submits that before the DRAT, Misc. Appeal Diary No. 742 of 2025 is pending.

Mr. Rudrajit Sarkar, learned advocate appears on behalf of the Happy Bengal Ventures Pvt. Ltd. and submits that he is also one of the applicant before the DRT-I.

Be that as it may, since the cost till date has not been assessed or deposited by the Bank and several proceedings are pending either before the DRT or DRAT as also NCLT, I am of the view that at this stage it would premature to pass any directions under Article 226 of the Constitution of India.

Petitioner would approach the learned CJM, Calcutta for necessary directions upon the police authorities.

With the aforesaid observations WPA 17493 of 2025 is disposed of.

Report submitted be kept with the record.

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

(Tirthankar Ghosh, J.)