

Sl.20
11.08.2025
Court No.6
BP

C.O. 2884 of 2025

Indu Choubey
-versus-
Aditya Birla Housing Finance Limited & Ors.

Mr. Sukanta Ghosh
Mr. Arghya Chatterjee
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the applicant in a SARFAESI proceeding praying for a direction upon the learned Debts Recovery Tribunal-III, Kolkata to dispose of SA No. 142 of 2023 expeditiously.

The learned advocate appearing for the petitioner submits that the petitioner is neither a borrower nor a guarantor but the possession of the property was taken under the provisions of Section 14 of the SARFAESI Act. He further submits that the petitioner filed several applications for fixing an early date of hearing but till date the SARFAESI application has not been taken up for hearing. He submits that 24th September, 2025 has been fixed for hearing of the SARFAESI application. He further submits that the pleadings are complete insofar as the SARFAESI application being SA No. 142 of 2023 is concerned.

In the light of the submissions made by the learned advocate for the petitioner, C.O. 2889 of 2025

stands disposed of by requesting the learned Presiding Officer, Debts Recovery Tribunal-III, Kolkata to take up the hearing of the SARFAESI application being SA No. 142 of 2023 on the next date fixed i.e. on 24th September, 2025, if the same is otherwise ready for hearing, and to make an endeavour to dispose of the same as expeditiously as possible but preferably within a period of four months from the next date fixed without granting any unnecessary adjournments to either of the parties.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)