

24-10-2025
Item No.277 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.20280 of 2025
HDB Financial Services Limited & Anr.

-vs-

State of West Bengal & Ors.

Mr. Sayak Ranjan Ganguly
Ms. Indrani Majumdar ...for the petitioners

Mr. Debjit Mukherjee
Ms. Priyanka Jana ...for respondent no.2

Mr. Tapas Kumar Sinha ...for respondents no.3-5

1. The petitioners are aggrieved by the order passed on September 21, 2024 by the learned Chief Judicial Magistrate, Alipore in Misc. Case No.198 of 2022 under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 on the ground that there was lack of description of the property which was the subject matter of the loan agreement. The learned Court has specifically recorded that due to want of proper specifics, the Court was not in a position to allow the said application.
2. On a bare perusal of the order of the learned Chief Judicial Magistrate, it appears that the details of the secured asset was not clearly mentioned in the application filed before the learned Court under Section 14 of the 2002 Act.
3. According to the petitioners, all details were properly mentioned.

4. Learned counsel for the private respondents submits that the details of the application were not mentioned in the Section 14 application and that the documents pertaining to the loan were not placed before the learned Court.
5. The writ Court is not inclined to verify facts. It will be open for the petitioners to approach the Section 14 authority strictly in accordance with law.
6. The writ petition is disposed of.
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]

