

1711
2025
MONDAY

Court : MB-24
Item : AD-17
Status : DISMISSED
ID : 266312
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 20509 OF 2025

M/S. CONTINENTAL CONSORTIUM CHEMICAL COMPANY & ORS.
VS.
THE UNION OF INDIA & ORS.

MR. SANJIB BANDOPADHYAY, ADVOCATE
MR. ANIRBAN PRAMANIK, ADVOCATE

.....for the Petitioner

MR. DILIP KUMAR KUNDU, ADVOCATE
MR. ARJUN BASU, ADVOCATE

.....for the Reserve Bank of India

MR. SHIV MANGAL SINGH, ADVOCATE

.....for the Indian Bank

MR. BIMALENDU DAS, ADVOCATE

.....for the Respondent Nos. 3 & 4

1. The petitioners challenge the order of 15.07.2025 passed by the Debts Recovery Tribunal-III, Kolkata upholding the action of the Bank in proceeding before the respondent no. 3 under Section 14 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the SARFAESI Act). The petitioners submit that since the provisions of deposits before the Appellate Authority, is rather draconian, the petitioners may not be able to fulfill such pre-requisites. Hence the present petition.
2. Since the petitioners admit that they have an alternative remedy before the Debts Recovery Appellate Tribunal to assail the order dated 15.07.2025 impugned herein, passed by the Debts Recovery Tribunal-III, I am not inclined to entertain this writ-petition.
3. Needless to say, the petitioners have the liberty to pursue their remedy before the appropriate forum, in accordance with law.
4. In view of the afore-state, **WPA 20509 of 2025** is **dismissed**.
5. However, there shall be no order as to costs.
6. Urgent Photostat Certified Copy of this order be given to the parties, if applied for.

(REETOBROTO KUMAR MITRA, J.)

