

17.11.2025
rc/ct.no.06
Item No.59

C.O. No. 3556 of 2025
Ranjan Kumar Paul & Anr.
Versus
The State Bank of India & Ors.

Mr. Biswabrata Basu Mallick
Mr. Udaynarayan Betal
Mr. Suman Saha
Mr. Ratul Biswas
Mr. Mriganka Patra
Mr. Soumadip Saha ...for the petitioners

Mr. Tanish Ganeriwala
Mr. Snehashis Chakraborty
...for the Opposite Parties

1. The petitioners have challenged an order dated September 112, 2025 passed in SA No. 126 of 2024 by the learned Presiding Officer, Siliguri Debts Recovery Tribunal.
2. The petitioners contend that an order was passed by the learned Debts Recovery Tribunal, dismissing an application which was filed challenging order passed under Section 14 of the SARFAESI Act, 2002, without looking into the merits of the same and the materials on record.
3. According to Mr. Biswabrata Basu Mallick, learned counsel for the petitioners, the opposite party had obtained an order under Section 14 of the SARFAESI

Act, 2002 from the District Magistrate, by suppressing materials facts.

4. Any order passed by the Debts Recovery Tribunal is an appellable order. A coordinate Bench of this Court admitted the revisional application being conscious of such provision, only on the ground that the Appellate Tribunal would remain closed for sometime. Thus, a limited interim order was passed, restraining the opposite party from taking any coercive steps on the basis of the order dated October 01, 2024 passed by the District Magistrate, Dakshin Dinajpur under Section 14 of the SARFAESI Act, 2002. The occasion to entertain this revisional application has since outlived the reason. The appellate tribunal is functional. Thus, the petitioner shall prefer an appeal from the order impugned. The petitioners shall be entitled to explain the delay in filing the appeal, in view of pendency of this application. The opposite parties shall not take any further coercive measures for a period of four weeks from date, within which time the appeal shall be filed.
5. In case of failure to file the appeal within the time specified by this Court, the opposite parties may proceed in accordance with law. This court has not

expressed any opinion on the merits of the issues involved.

6. Under such circumstances, the revisional application is disposed of.
7. There shall be no order as to costs.
8. Parties are to act on the serve copy of this order.

(Shampa Sarkar,J)