

0112
2025
MONDAY

Court : MB-24
Item : A-02
Status : DO
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 24715 OF 2025

TAPAS KUMAR SARKAR
VS.
THE STATE OF WEST BENGAL & ORS.

Mr. Samrat Chowdury, Advocate
Mr. Swadhin Pan, Advocate
Ms. Anusmita Das, Advocate

.....for the Petitioner

Ms. Shilpa Jati, Advocate
Mr. Rehan Ahmed, Advocate

.....for the Respondent Nos. 4 & 5

Mr. Pinaki Dhole, Advocate
Ms. Tanushree Pal, Advocate

.....for the State

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner seeks an apparently innocuous relief to take out the moveable assets lying within the premises of the property which has been possessed by the respondent-Bank and has been sold by way of a duly conducted auction, as submitted by Mr. Ahmed, learned Advocate appearing for the Bank.
3. Mr. Chowdhury, learned Advocate appearing for the petitioner, submits that even though the possession was taken on 16.07.2025, the inventory list, which does not bear the signature of the petitioner or any of his authorized representatives, was sent to the petitioner only on 18.07.2025. According to Mr. Chowdhury, the said inventory list is a disputed document, which requires trial.
4. The copy of the said inventory list is handed over to Mr. Chowdhury in Court today, another copy whereof is taken on record.

5. The petitioner is at liberty to pursue his right before the appropriate forum as such disputed question of fact, cannot be entertained in this writ-petition. The petitioner also has an alternative remedy which is equally efficacious.
6. With the afore-stated observations and directions, **WPA 24715 of 2025** is **disposed of**. No order as to costs.

(REETOBROTO KUMAR MITRA, J.)