

2011
2025
THURSDAY

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

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 25037 OF 2025

SURAJIT GHOSH
VS.

AUTHORIZED OFFICER OF ICICI HOME FINANCE LTD. & ANR.

MS. KAKALI DUTTA, ADVOCATE
MR. SANJAY CHAKRABORTY, ADVOCATE

.....for the Petitioner

MS. ISHITA GHOSH, ADVOCATE

.....for the Respondent

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner seeks to challenge the notices under Sections 13(2) and 13(4) of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, the said Act), issued by the Bank on 22.07.2025. A Possession notice under Rule 8(1) of The Security Interest (Enforcement) Rules, 2002 has also been issued on 16.10.2025.
3. The petitioner further alleges that the subsequent notices under Sections 13(2) and 13(4) of the said Act were issued without jurisdiction, since the earlier notices were pending.
4. Ms. Ghosh, learned Advocate appearing for the Bank, submits that the earlier notices under Sections 13(2) and 13(4) of the said Act have been withdrawn as will appear from the fresh notice under the said Act.
5. Even though possession notice has been issued, no steps have yet been taken under Section 14 of the said Act.
6. The petitioner is at liberty to challenge such notices, before the Debts Recovery Tribunal as the same is an alternative and efficacious remedy provided under the statute.
7. In view of the afore-stated, I am not inclined to entertain the writ-petition.
8. The writ-petition being **WPA 25037 of 2025** is accordingly **dismissed**. No order as to costs.

(REETOBROTO KUMAR MITRA, J.)

