

ML 245
27.01.2025
Court No.14
BP/AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 25472 of 2024

Bank of Baroda
Vs.
State of West Bengal & Ors.

Ms. Papiya Dutta.
... for the petitioner.

Mr. Sumon Sengupta.
Mr. Sambuddha Dutta.
... for the State.

Mr. Biswaroop Bhattacharya.
Ms. Sayani Das.
Ms. Sreetama Biswas.
... For the respondent no. 4.

1. The petitioner bank has filed the instant writ petition praying for a direction upon the District Magistrate to take steps under Section 14 of the SARFAESI Act.
2. In the writ petition there is an averment that the private respondent did not file any application before the Debts Recovery Tribunal which is in the knowledge of the petitioner.
3. Learned counsel representing the private respondent refers to the order dated 16th January, 2025 passed by the learned Kolkata Debts Recovery Tribunal No. 2 in SA 40/2021.
4. It appears therefrom that sale of the secured assets was scheduled on 16th January, 2025 but as no bidder has responded, the interim application filed

for setting aside the sale notice has become infructuous.

5. As it appears that the issue in question is already pending consideration before the concerned Debts Recovery Tribunal, there is no reason for interference in the instant writ petition.
6. The writ petition fails and is hereby dismissed.
7. Dismissal of the writ petition will not stand in the way of the parties to approach the competent forum for relief, if so advised.
8. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)