

2511
2025
TUESDAY

Court : MB-24
Item : AD-05
Status : DISMISSED
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 26099 OF 2025

HDB FINANCIAL SERVICES LIMITED & ANR.
VS.
THE STATE OF WEST BENGAL & ORS.

Mr. Sayak Ranjan Ganguly, Advocate
Ms. Srijani Ghosh, Advocate
Ms. Indrani Majumdar, Advocate

.....for the Petitioners

Mr. Ashis Kumar Guha, Advocate
Ms. Benazir Ahmed, Advocate

.....for the State

Mr. Amritam Mondal, Advocate
Mr. Aharnish Ghosh, Advocate

.....for the Respondent No. 4

Mr. Jit Ray, Advocate

.....for the Respondent No. 8

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner seeks to challenge the order passed under Section 14 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, the said Act) by the respondent no. 2 on 17.03.2025.
3. The said application was dismissed by the respondent no. 2 on the ground that the loan application and subsequent disbursement of the loan and the procedure maintained by the Financial Authority, the petitioner herein, was not 'proper'.
4. Mr. Mondal, learned Advocate appearing on behalf of the respondent no. 4, submits that the entire process is suspicious, to say the least, his clients are not in any manner concerned with the loan, even though the signature of the respondent no. 4, allegedly appears in one of the documents (page 56 of the petition). He submits that the same is not the signature of his client.
5. Without getting into the intricacies of the submissions made on behalf of the parties, it is undisputable that the

petitioner has a remedy to go back before the concerned authority, the respondent no. 2 herein, and vindicate his grievances and seek redressal thereof. These disputed questions of fact cannot be adjudicated by a Court exercising jurisdiction under Article 226 of the Constitution of India.

6. In view of the afore-stated, **WPA 26099 of 2025** is **dismissed**. No order as to costs.
7. Urgent Photostat Certified Copy of this order, be given to the parties, if applied for.

(REETOBROTO KUMAR MITRA, J.)