

Court No. 2
06.02.2025
(Item No. 1)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 26412 of 2024
+
CAN 1 of 2024

Subir Das & Anr.
VS
The State of West Bengal & Ors.

Mr. Suman Sengupta
Mr. Sk. Md. Masud
Mr. Sanatan Panja
Mr. Dipankar Ghosh
..... for the State
Mr. N. C. Behani
Ms. P. B. Behani
Mr. S. Mukherjee
Mr. M. Moitra
.... For respondent Nos. 2 & 3
Mr. Avishek Guha
Ms. Debika Misra
.... For respondent No. 4
Mr. Subhankar Nag
Mr. D. Basu Mallick
Mr. Somnath Ray
.... For respondent No. 5

None appears for the petitioners nor any accommodation has been sought for.

Mr. Suman Sengupta, learned senior advocate appears for State respondents.

Mr. N. C. Behani, learned senior advocate appears for respondent Nos. 2 and 3.

Ms. Debika Misra, learned advocate appears for respondent No. 4.

Mr. Subhankar Nag, learned advocate appears for respondent No. 5.

The orders passed on **December 16, 2024, December 23, 2024** and **January 9, 2025** speak for themselves.

The writ petitioners are defaulted borrowers. The respondent No. 4 is the lender bank. The default

went into such extent, that the account of the petitioners was classified as **Non Performing Asset (NPA)**. Steps were taken under the **SARFAESI Act, 2002**.

To show *bona fide* to proceed with the writ petition the petitioners were put into terms by this Court and the last order dated **January 9, 2025** shows the petitioners were granted time to deposit a sum of **Rs.1.50 Crore** with the learned Registrar General of this Court positively on or before **January 16, 2025**. The balance amount was directed to be deposited by **January 30, 2025** positively.

Today this Court has been informed that no such deposit has been made by the petitioners.

Mr. N. C. Behani, learned senior counsel has informed this Court that on instruction the order impugned in this writ petition has already been effected to its full force.

In view of the above, this writ petition being **W.P.A. 26412 of 2024** stands **dismissed**, without any order as to costs.

Consequently, **I.A. No. CAN 1 of 2024** also stands **dismissed**.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)