

ML 08
03.03.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 27236 of 2024

**Sujit Kumar Ghosh
-versus
Government of West Bengal & Ors.**

**Mr. Prasenjit Mukherjee,
Mr. Abhijit Sarkar,
Mr. Raja Biswas.
...For the Petitioner.**

**Mr. Ramchandra Guchhait,
Mr. Mihir Kundu.
...For the State.**

**Mr. Rajesh Kant Jha.
...For the Respondent
Nos. 7 & 8.**

1. The petitioner, as borrower, has defaulted in repaying the loan amount and the Bank has proceeded to take possession of the secured asset. The petitioner was communicated that a sum of Rs.7,30,98,064.94/- was due and payable along with interest and other applicable charges within sixty days of the notice issued on 12th March, 2024. The petitioner was unable to make the payment.

2. The Bank has proceeded for declaring the petitioner as willful defaulter and has proceeded to take steps for possession under the provisions of the SARFAESI Act, 2002.

3. Learned advocate appearing on behalf of the petitioner submits, upon instructions, that his client is ready and willing to pay upfront a sum of rupees six crore immediately and will clear the entire dues within a period of two months.

4. I am of the opinion that it will be open for the petitioner to approach the Bank for necessary relief.

5. The writ petition stands disposed of.

6. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)