

08.12.2025

MONDAY

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

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 27448 OF 2025

UNION BANK OF INDIA & ANR.
VS.
THE STATE OF WEST BENGAL & ORS.

Ms. Sreemoyee Mitra, Advocate

.....for the Petitioners

Mr. Sambuddha Dutta, Advocate

Ms. Debdooti Dutta, Advocate

.....for the State

Mr. Purnasish Gupta, Advocate

Mr. Jayanta Kuamr Mukhopadhyay, Advocate

.....for the Respondent No. 5

1. The petitioner seeks a direction on the respondent no. 2, to facilitate the process of taking possession, pursuant to an order passed by the said respondent on 16.09.2021. The petitioner admits that the said order was not executed as the petitioner had entered into a one-time settlement with the private respondent herein, the borrower.
2. Mr. Gupta, learned Advocate appearing on behalf of the private-respondent submits that the application also does not disclose that there is a pending application under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, the said Act) before the Debts Recovery Tribunal-III, Kolkata.
3. Since there are several subsequent facts which have occurred after the order was passed by the respondent no. 2 in 2021, the situation demands that a fresh application be filed by the petitioner-Bank with the respondent no. 2.

4. Upon such filing, the respondent no. 2 shall dispose of such application within the time stipulated in the statute.
5. With the afore-stated directions, **WPA 27448 of 2025 is disposed of.** No order as to costs.

(REETOBROTO KUMAR MITRA, J.)