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04.03.2025
d.p.

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

W.P.A 27789 of 2024

**Sonali Dutta
-versus
The State of West Bengal & Ors.**

**Mr. Mit Guha Roy.
...For the Petitioner.**

**Mr. Kazi Sajjad Alam.
...For the State.**

**Mr. Anuj Singh,
Ms. Trinisha De,
Ms. Rupal Singh,
Mr. Ashok Kumar Singh.
...For the Respondent
Nos. 8 & 9.**

**Mr. Souma Subhra Roy,
Mr. Sabyasachi Jana,
Ms. Neelam Kumari,
Ms. Monalisha Singh.
...For the Respondent No.11.**

1. The petitioner participated in an auction and purchased the subject property from the Central Bank of India. A sale deed was prepared and registered in her favour and she is in possession of the subject property.

2. The Karur Vysya Bank has affixed a notice for taking possession of the subject property. The said notice has been affixed after the Bank was successful in obtaining an order from the District Magistrate under Section 14 of the SARFAESI Act, 2002.

3. A report has been filed by the Inspector of Police (Enquiry Officer) Anti Cheating and Fraud Cell CID West Bengal signed on 3rd March, 2025 wherefrom it appears that the matter is being enquired into. The District Magistrate called for a hearing of the parties.

On 22nd February, 2025 hearing was fixed by the District Magistrate and Collector but the Karur Vysya Bank did not appear.

4. As the relief has been sought for is against the private Bank, i.e., the Karur Vysya Bank, the writ petition is held to be not maintainable.

5. The parties will, however, be at liberty to approach the competent forum for relief.

6. The enquiry which is continuing shall be concluded in accordance with law.

7. Let the report of the CID, West Bengal filed in Court be circulated to the respective counsels.

8. The writ petition stands disposed of.

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

(Amrita Sinha, J.)