

09.12.2025
TUESDAY

Court : MB-24
Item : AD-04
Status : DISMISSED
ID : 266312
AR : NANDY

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 27588 OF 2025

MAA MONOSHA BUILDERS & DEVELOPERS & ANR.
VS.
CHIEF MANAGER, BANK OF INDIA & ORS.

Mr. Subhasish Majumder, Advocate

.....for the Petitioner

Mr. Sandipan Maity, Advocate

Mr. Bithin Mandal, Advocate

.....for the Respondent Nos. 2 & 3

Mr. Abhishek Banerjee, Advocate

Ms. Anindita Das, Advocate

.....for the Bank of India

1. The petitioner seeks an order of stay on the auction, which the Bank intends to hold under The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, the said Act) on 18.12.2025.
2. The petitioner admits that there has been a default by the petitioner in liquidating the dues of the Bank which are presently in excess of Rs. 4 crores, as submitted by Mr. Banerjee, learned Advocate, appearing for the Bank.
3. The petitioner is not in a position to deposit any money nor pay off the bank dues within a reasonable time.
4. Since the petitioner has a statutory remedy before the Debts Recovery Tribunal under said Act, the petitioner is at liberty to proceed before such Tribunal.
5. In view of the afore-stated, I am not inclined to entertain the writ-petition.
6. **WPA 27588 of 2025** is accordingly **dismissed**. No order as to costs.

7. Urgent Photostat Certified Copy of this order be given to the parties, if applied for, on usual undertaking.

(REETOBROTO KUMAR MITRA, J.)