

D/L 27
10.04.2025
Bpg.
ct.no.35

W.P.A.28366 of 2024
Krishna Dogra (PAN) & Anr.
Versus
The State of West Bengal & Ors.

Mr. Shyamal Roy.
...for the petitioners.

Mr. Pantu Deb Roy
Mr. Pannalal Bandopadhyay.
...for the State-respondents.

Mr. Shashwat Nayak
Mr. Debasish Chakraborty.
...for the PNB.

Affidavit-of-service filed by the petitioners be
kept with the record.

Petitioners complain that the recovery agents
have been insulting and abusing the petitioners and
the family members including the female folk.

Learned advocate appearing for the Punjab
National Bank submits that the petitioners are
defaulter in respect of loan.

Mr. Deb Roy, learned advocate appearing for
the State submits that police authorities have kept a
strict vigil in respect of the accusations made.
However, since alternative remedy is available, the act
of the bank authorities cannot be deterred by the
police authorities.

From the nature of the information submitted to the Superintendent of Police, Paschim Medinipur it reflects that the petitioners have an alternative remedy under the jurisdictional tribunal created under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. So far as remedies are concerned, the petitioners would be at liberty to approach the said tribunal. However, the police authorities would only see to the extent that no excesses are inflicted as complained of.

With the aforesaid observations, WPA 28366 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)