

M/L 8
15.01.2025
Kausik
ct.no.35

W.P.A. 29935 of 2024

**Sourav Sarkar & Anr.
Versus
The State of West Bengal & Ors.**

Ms. Taradevi Biswas

...for the petitioner.

Ms. Parna Roy Choudhury

...for the respondent Bank.

Mr. Jayanta Samanta
Mr. Saurav Chaudhuri

...for the state.

Petitioner has approached this court in respect of the act and action of the bank authorities.

State has submitted a report. Report reflects that so far as the accusations made in the writ petition, the same are unsubstantiated as the physical possession of the mortgaged property was pursuant to the order passed by the learned CJM, Purba Bardhaman and the same was conducted in presence of the Executive Magistrate, Police Personnel and Advocate Commissioner.

Having regard to the report submitted by the state, I am of the view that the writ petition is not maintainable on merits. Petitioner will exhaust his

remedies if available under the provisions of SARFAESI Act.

With the aforesaid observations WPA 29935 of 2024 is disposed of.

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.

(Tirthankar Ghosh, J.)