

ML-171
17.02.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 29992 of 2024

Abdul Quaiyum Khan
Vs.
The State of West Bengal & Ors.

Mr. Ranjan Kali.
...for the petitioner.

Mr. S. Nag.
Mr. Onkar Ganguly.
Mr. A. Raha.
Mr. N. Lama.
...for the respondent nos. 5 & 9.

Mr. Rajarshi Basu.
Mr. K. M. Hossain.
... For the State.

1. The petitioner is aggrieved by the steps taken by the bank under the provisions of the SARFAESI Act.
2. The petitioner, challenging the action of the bank, filed a suit before the learned Civil Court being Title Suit no. 506 of 2024.
3. It appears that vide order dated 28.01.2025 the said suit stood disposed of and the plaint stood rejected by the learned Civil Judge (Junior Division), 1st Court, Alipore.
4. The petitioner prays for quashing of the entire proceeding initiated by the bank.
5. The instant writ petition is disposed of by granting leave to the petitioner to approach the Debts Recovery Tribunal under the provisions of the SARFAESI Act for relief.

6. Affidavit-of-service filed today in Court be kept with the records.
7. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)