

24-02-2025
Item No.178 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.30699 of 2024

Sri Lakshman Naskar

-vs-

Union of India & Ors.

Mr. Sudhayan Barik ...for the petitioner

Mr. Soumen Bhattacharjee

Mr. Ankan Das

Ms. Sharadhya Ghosh ...for the Union of India

Mr. D. Saha

Mr. A. Roy Sanyal

Mr. S. Pal ...for respondent nos.6 & 7

1. The petitioner has averred in the writ petition that he is neither a co-borrower nor guarantor in respect of certain loan taken by the borrower.
2. It has been submitted on behalf of the petitioner that the petitioner never signed any document as a co-borrower. According to the petitioner, the private respondents allegedly forged the signature of the petitioner and obtained loan from the bank.
3. Prayer has been made to restrain the bank from taking any coercive steps against the petitioner.
4. Learned counsel representing the bank submits, upon instructions, that a proceeding for recovery of the loan amount in respect of the loan is pending before the Debts Recovery Tribunal.
5. I am of the view that as the petitioner alleges fraud, it will be open for the petitioner to take steps before the competent authority for causing investigation. The writ court is not the competent

authority for causing investigation as sought for.

6. It will be open for both the parties to avail remedies as available in law.
7. The writ petition is disposed of.
8. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]