

19.11.2025
Item No.9
Court No.1
CHC

***Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side***

**C.O. 166 of 2024
IA NO: CAN/5/2025**

**M/s. Shyam Impex
Vs.
Indian Bank & Anr.**

Mr. Abhimanyu Banerjee, Advocate
(in virtual platform)
...for the petitioner

1. Petitioner assails an order passed by the Debts Recovery Tribunal, Siliguri in SA/150/2023.
2. Impugned order dismissed an application under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
3. Grounds of revisional application canvassed are breach of principles of natural justice and that, cause list of Debts Recovery Tribunal was tampered.
4. None appears for the opposite parties.
5. Supreme Court in a number of decisions requested the High Court not to exercise jurisdiction under Article 226 or Article 227 of the Constitution of India in respect of orders for which, statutory appeal exists.

6. The impugned order is appealable. The petitioner did not prefer any appeal against the impugned order.
7. I do not find, on the materials placed on record that, there is any breach of principles of natural justice. The petitioner before this Court was represented before the Debts Recovery Tribunal by an advocate. Petitioner went unrepresented before the Tribunal after a given point of time. Justification of non-appearance of the petitioner through Advocate is pegged on the alleged tampering of cause list by the Tribunal. Alleged tampering of cause list is not established. In any event, it is preposterous that an Advocate would be able to keep track of a matter before a DRT in this age of digitisation.
8. In such circumstances, I find no merit in the revisional application.
9. C.O. 166 of 2024 along with connected application are dismissed without any order as to costs.

(Debangsu Basak, J.)