

OD - 1

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/913/2025
KUBER TIE UP PRIVATE LIMITED AND ORS.
VS
STATE BANK OF INDIA AND ANR.

BEFORE :
THE HON'BLE JUSTICE REETO BROTO KUMAR MITRA
Date : 22nd December, 2025

Appearance
Mr. Sayak Ranjan Ganguly, Adv.
Ms. Srijani Ghosh, Adv.
Ms. Indrani Majumdar, Adv.
..for petitioner.

Mr. Mukul Lahiri, Sr. Adv.
Mr. Anirban Paramanick, Adv.
Ms. Bhaggyasree Dey, Adv.
...for respondent nos.1 & 2.

The Court: Affidavit of service filed today in Court is taken on record.

The petitioner no.1 is aggrieved by the e-auction sale notice of November 29, 2025. The petitioner no.1 has fairly submitted that the application under Section 17 challenging this sale notice is pending before the Debts Recovery Tribunal. The petitioner no.1 is further aggrieved that the outstanding of the petitioner nos.1, 2 & 3 with the respondent no.1 initially (2023) assessed at approximately Rs. 31.39 crore, magically shot up to Rs. 348 crore and odd.

Mr. Lahiri, learned Senior Advocate appearing for the respondent-bank, submits that though he is not sure, the Debts Recovery Tribunal - III, Kolkata may have dismissed the IA No.5212 of 2025, though he is unable to ascertain the same. The

grounds of dismissal, as submitted by Mr. Lahiri on instruction, may have been the pendency of the writ petition.

Mr. Ganguly, learned Advocate for the petitioner, submits that he was present when the matter has been taken up and the same is not dismissed but merely adjourned. The sale has been fixed tomorrow.

In view of the afore-stated, I direct the respondent-bank to keep the sale proceeds in a separate interest bearing account to the credit of SA/329/2024.

The bank will also provide a detailed statement as to how the initial outstanding of Rs.31.39 crores has assumed a gigantic amount of Rs.348 crores. Such detailed statement will be provided to the petitioner by 12 PM on December 23, 2025.

The Debts Recovery Tribunal is directed to dispose of IA No. 5212 of 2025 on merits and decide the validity of the e-auction sale notice dated November 29, 2025 by December 24, 2025. The sale proceeds will abide by the result of the Debts Recovery Tribunal in IA No. 5212 of 2025.

With the afore-stated directions, the writ petition is disposed of. There shall be no order as to costs.

Since affidavit has not been filed, allegations contained in the petition are deemed to have been denied.

(REETOBROTO KUMAR MITRA, J.)

sd/

