

11.02.2026
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WPA 2016 of 2026

Sri Zuntu Sengupta

Vs.

The State of West Bengal & Ors.

Mr. Asis Bhattacharyya

Mr. Prabhat Gupta

..... for the petitioner

Mr. Sambuddha Dutta

Mr. Ritesh Kumar Ganguly

..... for the State

Mr. Debabrata Das

Mr. A. Sarkar

Mr. Pratik Acharjee

..... for the respondent no. 2

Mr. Basudeb Mukherjee

..... for the respondent no. 3

1. The petitioner is aggrieved that his property has been sold, in spite of the fact that he was ready and willing to tender the entire amount.
2. Mr. Mukherjee, learned Advocate appearing for the respondent financial institution, submits that the amount proposed for settlement by the petitioner was not only late in forthcoming, but was also much below the amount demanded in the notice under Section 13(2) of the Securitization and Reconstruction of the Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the "said Act").

3. The petitioner has also filed an application under Section 17 of the said Act, which is pending adjudication before the Debts Recovery Tribunal.
4. Mr. Das, learned Advocate appearing for the Bank, informs that the property has already been sold and the sale certificate has been issued in respect thereof. He submits that Bank will provide the particulars of the auction purchaser, to whom the property has been sold, to the petitioner to enable him to take appropriate steps before the Debts Recovery Tribunal.
5. In view of the fact that the petitioner has an alternative and efficacious remedy, statutorily mandated under the said Act, I am not inclined to entertain the instant writ petition.
6. The writ petition is, thus, dismissed.
7. There shall, however, be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)