

19.02.2026
Ct. No.24
Sl. No.3
akd

W. P. A. 3235 of 2026

[Aloke Pramanik & Anr. -Vs- The Chairman, Punjab National Bank & Ors.]

Mr. Sanjay Mukherjee
Mr. Chiranjit Pal
Mr. Priyadip Paul

... ... for the petitioners

Ms. Parna Roy Choudhury
Ms. Payel Ghosh

... ... for the Bank
[Punjab National Bank]

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioners are aggrieved that in spite of not being the borrowers or guarantors, the property purchased by the petitioners is being pursued by the bank under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter '*the said Act*').
3. Ms. Parna Roy Choudhury, learned counsel appearing for the respondent-Bank submits that the property was mortgaged by the principal borrower, who has sold the property to the petitioners herein. The respondent-Bank is under no obligation to meet the demands of the petitioners in any manner.
4. Since the petitioners are the persons aggrieved as enshrined under Section 17 of the said Act, the remedy of the petitioners lies before the Debts Recovery Tribunal (DRT), which is a statutory remedy and has to be availed by the petitioners prior to knocking the doors of a Court exercising jurisdiction under Article 226 of the Constitution of India.

5. That being said, it would be trite that the petitioners be given certain documents, which are essential to enable the petitioners to challenge the action of the respondent-Bank in taking over the property which they have purchased.

6. The petitioners will be at liberty to approach the Bank and the respondent-Bank will disclose documents to enable the petitioners to challenge the process.

7. It is also submitted that the borrower has filed an application under Section 17 of the said Act, which is pending adjudication.

8. The petitioners are at liberty to challenge the process of the respondent-Bank, in the manner, so advised.

9. With the afore-stated directions, the writ petition is disposed of.

10. There shall be no order as to costs.

11. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)