

06.03.2026

Ct. No. 7
Sl. No. 4
RANJAN

WPA 5239 of 2026

BIJAN HAZRA AND ANR.

VS.

PUNJAB AND SIND BANK AND ORS.

Mr. Debashis Saha

Mr. Avirup Roy Sanyal

Ms. Sucheta Pal

Mr. Jyotishman Sarkar

....for the Petitioners

Mr. Swapan Banerjee

Mr. Samrat Paul

....for the State

Mr. S.K. Mustafir Rahaman

Ms. Mousumi Pal

....for the Respondent No. 1 and 2

Affidavit of Service filed on behalf of the petitioner be kept with the records.

The grievance of the petitioner is directed against a possession notice dated 27.02.2026 issued under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

It is submitted on behalf of the petitioner that in view of the paucity of time which the petitioner has in approaching the Debts Recovery Tribunal this Court should interfere in the matter and grant stay to permit the petitioner to approach the DRT. It is also submitted on behalf of the petitioner that they undertake to file an application under Section 17 of the Act within the course of the day.

The petitioner further seeks direction on the learned DRT to hear the matter expeditiously.

On behalf of the respondent bank, it is submitted that in view of the alternative efficacious statutory remedy available to the petitioner, this Court has no jurisdiction to entertain the writ petition.

It is further submitted on behalf of the respondent bank that the petitioner was served a notice under section 13(2) of the Act as far back as on 13.02.2024 and subsequently, a notice under section 13(4) was issued on July 10, 2024.

The facts of the case clearly reveal that the petitioner has ample notice of the proceeding initiated under the Act and the entire game plan of the petitioner is to thwart the hands of the respondent bank.

In view of the submissions made on behalf of the parties and the efficacious statutory remedy available to the writ petition, WPA 5239 of 2026 stands dismissed. Liberty is granted to the petitioner to avail of the necessary statutory remedy in accordance with law.

It is made clear that there has been no expression on the merits of the case and all points are left open for the Debt Recovery Tribunal to adjudicate.

WPA 5239 of 2026 stands dismissed on the grounds of maintainability.

(RAVI KRISHAN KAPUR, J.)