

28.04.2026
SL No.5
Court No.12
(gc)

**MAT 737 of 2026
CAN 1 of 2026**

**Santosh Kumar Pandey
Vs.
Bluesky Property Ventures LLP & Ors.**

Mr. Biswaroop Bhattacharya,
Mr. Ayan Kumar Boral,
Mr. R.K. Pandey,
Ms. Anusmita Bhattacharya

...for the Appellant.

Mr. Jishnu Chowdhury, Sr. Adv.,
Mr. Chayan Gupta,
Mr. Shaswat Nayak,
Mr. Sarangam Chakraborty

.....for the Respondent Nos.1 & 2.

Mr. Mainak Bose, Sr. Adv.,
Mr. Sayak Ranjan Ganguly,
Ms. Sriyani Ghosh

...for the Respondent No.3.

Mr. Rachit Lakhmani,
Mr. Sabyasachi Bhattacharjee

...for the Proforma Respondents.

1. Having heard Mr. Biswaroop Bhattacharya, learned Advocate for the appellant and upon considering the interim order passed by the learned Single Judge, we are not inclined to interfere with the order of His Lordship. Mr. Bhattacharya's contention that the writ petition is not maintainable from any order passed by the Debts Recovery Tribunal in a proceeding under the SARFAESI Act, is universally accepted by Courts. In the order impugned, the learned Judge has not interfered with any order passed by the Debts Recovery Tribunal, save and except, His Lordship has directed that the proceedings before the Debts Recovery Tribunal will

not be stalled on account of pendency of the writ petition. The point of maintainability of the writ petition has also been left open.

2. The order impugned indicates that the exclusivity of a proceeding under the SARFAESI Act before the Tribunal, has been recognized.
3. The Debts Recovery Tribunal will proceed with the matter in accordance with law and expeditiously. Until the decision is taken by the Debts Recovery Tribunal in the pending S.A. filed by the appellant, the order of status quo shall continue.
4. We also record the submissions of Mr. Chowdhury, learned Senior Advocate and Mr. Bose, learned Senior Advocates, who urge that, although prayers had been made for setting aside the order of status quo, their respective clients were interested in getting the proceeding before the Debts Recovery Tribunal disposed of expeditiously, preferably on a day to day basis.
5. Accordingly, the appeal and the connected application are disposed of.
6. There shall be no order as to costs.
7. Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)

(Ajay Kumar Gupta, J.)