

WPA 10203 of 2026

Dipak Kumar Pakhira and Anr.
-Vs.-
Bank of India & Ors.

Mr. Nikhil Kumar Gupta
Mr. Subhadeep Kaitra
...for the petitioners

Mr. Jayabrata Basu Ray
Mr. Monojit Banerjee

...for the Bank of India

The grievance of the petitioners is directed against action which has been initiated by the respondent bank under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act). The petitioners assail an order dated 10th September, 2018 passed by the District Magistrate, Howrah in an application under Section 14 of the SARFAESI Act. The petitioners also seek an omnibus declaration to the extent of all actions initiated by the respondent/Bank are illegal, null and void.

In view of the statutory alternative remedy available to the petitioners under section 17 of the SARFAESI Act, **WPA 10203 of 2026** stands **dismissed**.

It is made clear that there has been no adjudication on the merits of the case and all points are

left open for the appropriate authority to decide strictly in accordance with law.

(Ravi Krishan Kapur, J.)