

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

RVW 124 of 2026

IA No.CAN/1/2026

Aparna Konar

Vs.

The Punjab National Bank & Ors.

In

WPA 29775 of 2025

Aparna Konar

Vs.

The Punjab National Bank (Erstwhile United
Bank of India) & Ors.

Mr. R. N. Chakraborty

Mr. S. Tahkurta

...For the petitioner

Ms. Parna Roy Choudhury

Ms. Trisa Chanda

...For the Punjab National Bank

CAN 1 of 2026 is an application for recalling of an order dated 10th April, 2026. The application has been filed for restoration. The order dated 10th April, 2026 was passed on merits dismissing the writ petition on the ground that the petitioner had not availed of the statutory alternative efficacious remedy.

Briefly, the cause of action of the petitioner is one seeking restoration of property which has been taken over by the respondent bank under the provisions of section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI).

In such circumstances, the order dated 10th April, 2026 came to be passed on the ground that the petitioner had not availed of the statutory alternative efficacious remedy under Section 17 of the SARFAESI Act, 2002. There are no grounds for recalling of the order dated 10 April, 2026.

Section 17(1) of SARFAESI Act, 2002 grants the right to any aggrieved person to approach the DRT against measures under Section 13(4). This includes challenging possession, transfer or management of secured assets.

Hence the petitioner is at liberty to approach the DRT to have her grievances, if any, redressed.

In view of the above, there are no grounds for recalling the order dated 10th April, 2026. The application as framed is misconceived and not maintainable.

CAN 1 of 2026 stands dismissed. The connected review application being RVW 124 of 2026 also stands consequentially disposed of.

(Ravi Krishan Kapur, J.)