

08.05.2026
Ct. No. 7
Sl. No.23
skg

W.P.A. 17202 of 2024

**Manasi Mondal & Anr.
Vs.
The Reserve Bank of India & Ors.**

Mr. Saptansu Basu, Sr. Adv.,
Ms. Parna Roy Choudhury,

...for the petitioners

Ms. Suchismita Ghosh,

...for the respondent no.1

Mr. Avishek Guha,
Ms. Sonal Agarwal,

...for the respondent no.2

The grievance of the petitioner is directed against a sale notice dated 20th June, 2024 issued by the respondent bank under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

It is submitted on behalf of the petitioner that no such second notice of sale was served on them. On behalf of the respondent bank it is submitted that notice had been duly served. However, without prejudice to the rights and contentions they are serving a copy of the same once again on the petitioner.

Both parties agree that the question of service should be appropriately decided by the Debt Recovery

Tribunal where proceedings are pending. In view of the above, both parties submit that the further progress of this proceeding would not enure to the benefit of either of them.

It is also submitted on behalf of the respondent bank that third party rights have accrued in favour of the auction purchaser and the auction purchaser is an interested and necessary party in any further adjudication.

Accordingly, WPA 17202 of 2025 stands disposed of by granting liberty to the petitioner to avail of its remedy before the concerned Debts Recovery Tribunal in accordance with law.

It is made clear that there has been no adjudication on the merits of the case and the concerned Debts Recovery Tribunal is free to decide all questions without being influenced by any observation in this order.

(Ravi Krishan Kapur, J.)