

IN THE COURT OF THE DISTRICT JUDGE, PURBA BARDHAMAN

Present: Sri Bimal Kanti Bera (WB00681),
District Judge, Purba Bardhaman

Misc. Appeal 09 of 2026
(CNR NO.WBBD-01-000589-2026)

Order No. 08
Dated – 16.07.2026

Today is fixed for hearing on the point of admission.

The appellant has not taken any steps.

None appears for the appellants on repeated calls.

Perused the memo of appeal with copy of the impugned order.

The instant misc. appeal has been preferred challenging the order dated 08.03.2024 passed by the Ld. C.J.M in connection with misc. case no. 686 of 2023.

On perusal of the impugned order, it appears that an application u/s 4 of the SARFAESI Act was filed before the Ld. C.J.M by the Indian Bank (Erstwhile Allahabad Bank). The Ld. C.J.M by the impugned order appointed Advocate Commissioner to take possession of the secured asset.

It is well settled that while exercising jurisdiction u/s 14 of the SARFAESI Act the Magistrate does not adjudicate any issue. It is only administrative action. It is also well settled that no suit or appeal lies before any court in respect of any action taken u/s 14 of the SARFAESI Act. The aggrieved party has remedy u/s 17 of the SARFAESI Act before the Debt Recovery Tribunal (DRT).

In this circumstances, the instant appeal is misconceived one and liable to be rejected being not maintainable.

Hence,

It is ordered,

that the instant Misc. Appeal be and the same is rejected being not maintainable.

Let a copy of this order be sent to concerned court for information and necessary action.

Dictated & corrected by me

Sd/-
District Judge,
Purba Bardhaman

Sd/-
District Judge,
Purba Bardhaman.

