

D/L.09.
April 16, 2026.
KAUSHIK

WPA No. 8401 of 2026

Prahallad Guria
Vs.
Contai Co-operative Bank Ltd. & Ors.

Mr. Sankar Nath Mukherjee
Mr. Niraj Gupta
... for the petitioner

Mr. Rittwik Pattanayak
... for the respondent

The grievance of the petitioner is directed against a notice issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) dated 12th September, 2025.

It is submitted on behalf of the petitioner that the impugned notice is barred by limitation. The petitioner admits having received of aggregate amount of Rs.4,00,000/- in 2007. It is also admitted by the impugned notice that the Bank has now raised a claim of Rs.33,00,000/- (inclusive of interest).

There is a serious question of maintainability of this writ petition.

The pendency of this writ petition will not create any equity in favour of the petitioner and the respondents are at liberty to take action in accordance with law, whether civil or criminal. As prayed for by the respondent, let this matter appear on 30th April, 2026.

In the meantime, both parties are directed to file their Written Notes of Submission.

The pendency of this proceedings in not to be construed as a stay or embargo in the progress of any proceeding pending before any Court or Tribunal.

(Ravi Krishan Kapur, J.)