

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 8908 of 2026

UCO Bank
Vs.
State of West Bengal & Ors.

Mr. Asif Hussain
Mr. Arijit Ghosh
Mr. Rahul Modak
...For the petitioner

1. This is a proceeding initiated by the petitioner bank for expeditious disposal of an application under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI).
2. Neither is the State nor the private respondent represented in Court.
3. The matter has taken in the second call. There have been a number of orders which have been passed and the application under section 14 of the SARFAESI is still pending. Briefly, the account of the private borrower was classified as non-performing assets as far back as on 11 June 2008. It is an admitted position that connected proceedings are also pending before the Debt Recovery Tribunal (DRT). The petitioner relies on an order whereby the entire proceeding before the DRT has been stayed.

There has been no appeal or challenge against the above order dated 1 August 2025.

4. It is significant to mention that there is an aggregate amount of Rs.11,74,000/- which is due and payable by the borrower. In view of the casual manner in which the respondent bank has acted and been advised in seeking recovery of the loan, the petitioner bank is directed to file a Supplementary Affidavit as to the steps which have been taken for recovery of such loan commencing from the stage of section 13 of the SARFAESI Act, 2002.
5. It is also in public interest that the bank take expeditious steps for recovery of the above loan and not file frivolous legal proceedings simply to procrastinate recovery.
6. In the meantime, the Office of the District Magistrate and the police authority are directed to provide complete assistance for implementation of the order dated 16 July 2024 if necessary by taking actual physical possession of the secured assets of the private borrowers in accordance with law.
7. Let this matter appear on 15 June 2026.

(Ravi Krishan Kapur, J.)