

27.01.2026
rc/ct.no.05
Item No.11

WPA No. 28716 of 2025
Usha Debi Das
Versus
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Mrs. Sagnika Banerjee ..for the Petitioners

Mr. Pantu Deb Roy
Mr. Anubrata Santra for the State

Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh
Ms. Ankita Jha for the respondent nos.7&8

Report submitted by the State is taken on record.

The petitioner purchased a commercial goods vehicle upon availing financial assistance from the private respondent/bank and the vehicle was duly hypothecated with the financier. Though the petitioner paid two full installments and the third installment in part, she failed to pay the subsequent installments for which the matter was referred to the arbitrator in terms of the loan agreement. By an award passed by the learned Arbitrator on September 09, 2022, the petitioner was directed to pay the sum of Rs.6,32,065/- within 15 days from the date of receipt of the award, in default the vehicle was directed to be seized and sold at the best market price. In terms of the said award the vehicle was surrendered by the petitioner. A complaint

was lodged against the petitioner by the private respondents before the learned Judicial Magistrate, First Class, Gurugram in this regard wherein by an order passed on November 19, 2025, the petitioner was directed to appear before the said learned Court on December 10, 2025. The petitioner failed to comply with the said order and filed the present writ petition on December 12, 2025. The petitioner submits that subsequently warrant of arrest has been issued against her. She seeks protection and undertakes to appear before the learned trial Court at Gurugram.

Learned counsel for the petitioner seeks to use a supplementary affidavit annexing the copy of the order issuing warrant of arrest against the petitioner.

Let this matter appear under the same heading on February 05, 2026.

(Suvra Ghosh,J)