

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

WPA/474/2026

M/s Sri Makaabha Paper Products Pvt. Ltd

Vs

The Managing Director and another

Mr. Siddhartha Singha, K. ... for the petitioner

Ms. A.S.Zinu ... for the respondents

September 23, 2026
[SR]
Item No.1

1. The writ petition has been filed by the writ petitioner who claims to be a loanee of the Andaman and Nicobar State Cooperative Bank Limited.
2. He has availed a term loan of Rs.90.00 lakhs. He claims that he has repaid nearly a crore of rupees. He further claims that there is genuine difficulty and hindrance which compels him to approach the authorities for settling the matter before the Lok Adalat.
3. A direction is sought by way of a writ petition to direct the respondent bank to participate in the Lok Adalat proceeding. In effect, the petitioner has sought reference to a Lok Adalat in respect of a loan account by direction issued under Article 226 of the Constitution of India.
4. The learned advocate for the respondent-bank opposes the maintainability of the writ petition.
5. Considering the nature of relief sought for in the writ petition, this court would observe that by now it is a trite law that the existence of right is a pre-requisite to invocation of jurisdiction under Article 226 of the Constitution of India. If at

all the parties are desirous of settling the matter in the Lok Adalat or any other such forum, it is open to the parties to do so.

6. However, the petitioner is not able to make out any enforceable right based on which a direction can be issued upon the Bank for settling the dues in Lok Adalat, in exercise of extraordinary and discretionary writ jurisdiction under Article 226 of the Constitution of India.

7. The relief claimed by the writ petitioner is therefore misconceived.

8. The writ petition is accordingly dismissed.

9. The Court however makes it clear that no opinion is expressed on the claim of the writ petitioner and the writ petitioner would be at liberty to avail remedies before the appropriate forum, in accordance with law.

10. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Madhuresh Prasad, J.)