

18.12.2020

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Sl. 6

C.O. 4278 of 2018

Debomitra Dey Sarkar
Vs.
Kotak Mahindra Bank Ltd. & Anr.

Mr. Ranjan Deb, Senior Advocate
Ms. Aruna Ghosh
..for the petitioner.

Mr. Joy Saha
Mr. Avishek Roy Chowdhury
Mr. S. Banerjee
Mr. Ranjan Deb
Mr. Rohitendra Dev
Mr. Pratik Ghose
..for opposite parties

The petitioner has filed the instant application under Article 227 of the Constitution of India challenging the order no.17 dated November 27, 2018 passed by the Presiding Officer, Debts Recovery Tribunal-I in T.A/138/1994.

Mr. Ranjan Deb, learned senior advocate for the petitioner submits that the petitioner has taken out two applications - one for recalling of the orders directing sale of movable and immovable properties and other for stay of all further proceedings of the Transfer Application No. 138 of 1994. Mr. Deb submits that the application for stay is pending since the year 2017 and the recalling application is pending since the year 2003.

The instant application is entertained only as the immediate grievance of the petitioner is that the aforesaid applications are pending for a long time and a prayer has been made for a direction upon the learned Tribunal to dispose of the same expeditiously.

Since the aforesaid applications are pending for a considerable period of time, C.O. 4278 of 2018 is disposed of by requesting the Presiding Officer, Debts Recovery Tribunal –I, Kolkata or the Presiding Officer in-charge of the said Tribunal to hear out and dispose of the aforesaid pending applications as expeditiously as possible and preferably within a period of eight weeks from date without granting any unnecessary adjournment to either of the parties.

Urgent photostat certified copy of this order, if applied for, be supplied on priority basis.

(Hiranmay Bhattacharyya, J.)

