

15.10.2020  
SL No.5  
Court No.12  
(gc/suman)

**MAT 649 of 2020  
With  
CAN 1 of 2020**

**Bishnupur Himghar Pvt. Ltd.  
Vs.  
Union of India & Ors.**

**(Via Video Conference)**

Mr. Debapriya Samanta  
...for the Appellant.  
Mr. Siddhartha Lahiri,  
...for the U.O.I.  
Mr. Rahul Karmakar,  
...for the Respondent Bank.  
Mr. Aritra Basu,  
Mr. Abhijit Sarkar,  
...for the Respondent Nos.6 & 7.

After hearing the learned Counsel for the parties, we dispose of the appeal and the application by directing the appellant/petitioner to make a fresh application within two weeks from date to the respondent No.4 for release and disbursement of loan already sanctioned but recalled on 19<sup>th</sup> June, 2020 and also to make a separate representation to the respondent No.7 for suitable extension of time towards the liquidation of its loan/dues to the said corporation.

In deciding the representations of the petitioner, the bank authorities may call for such additional documents and/or informations as may be necessary to take a decision on revalidation of the amount already sanctioned. In the event, the representations are made in terms of this order, the respective authorities shall consider the said

representations in accordance with law after giving a reasonable opportunity of hearing which may be on a virtual mode and if required may be physically only after maintaining the Covid-19 Protocol and shall dispose of the respective representations within a period of four weeks thereafter by a reasoned order and shall communicate their decisions to the appellant within a week after the order is passed in the email address to be provided by the appellant.

In the event, the decision taken by the West Bengal Financial Corporation is adverse to the interest of the appellant, the said order shall not be given effect to for a period of 10 days from the date of communication of such order. We make it clear that we have not gone into the merits of the matter and the respondent authorities shall decide the matter uninfluenced by any observation made by us in this order.

The appeal being MAT 649 of 2020 along with application being CAN 1 of 2020 are disposed of.

Since this order virtually disposes of the writ petition, by consent of the parties, the writ petition being WPA 5902 of 2020 is treated as on the day's list and disposed of by this order.

All parties are to act on a website copy of this order on the usual undertaking.

**(Aniruddha Roy, J.)**

**(Soumen Sen, J.)**