

24.12.2020
Sl. No.7
srm

C.O. No. 1619 of 2020

Shaila Motors Pvt. Ltd. & Anr.

Vs.

Indian Bank & Anr.

Mr. Anjan Kali,
Ms. Mitul Chakraborty,
Mr. Sukanta Ghosh

...for the Petitioners.

The petitioners are aggrieved by an order dated December 18, 2020 passed by the learned Presiding Officer, DRT-II, Kolkata in connection with interim application arising out of SARFAESI application being No.171 of 2020.

Despite service none appears on behalf of the Bank/opposite party. Receipt copy of the notice showing the receipt of the same by the Bank is taken on record. This is an appealable order. The petitioners are directed to approach the appellate forum challenging the order impugned to this revisional application and will be at liberty pray for interim relief by filing an appropriate application. The petitioners shall file such appeal and application within two weeks from date. An advance copy of the appeal and the application shall be served upon the Bank and also the learned Advocate for the Bank appearing before the Tribunal. The period to file the appeal is 30 days and the said period is not over.

Two weeks time is given to the petitioners in view of the situation prevailing and to enable the petitioners to mobilise their resources during the pandemic period.

As time to file the appeal is not yet over, in the meantime *status quo* with regard to the property be maintained by all the parties till the appeal is filed. If the appeal is not filed within the afore-mentioned period, the Bank may proceed according to law and the order of status quo shall be automatically vacated. This court has not expressed any opinion on the merits of the case. The learned Appellate Tribunal will proceed independently without being influenced by any order passed herein.

All parties are directed to act on the server coy of this order.

This revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)