

09-09-2021
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WPA 2505 of 2000

Sarat Chandra Sarkar

-Versus-

Chairman, Katwa-Kalna Co-operative Agriculture & Rural
Development Bank Ltd. & Ors.

With

WPA 2109 of 2003

Sarat Chandra Sarkar

-Versus-

Chairman, Katwa-Kalna Co-operative Agriculture & Rural
Development Bank Ltd. & Ors.

With

WPA 3491 of 2000

Sarat Chandra Sarkar

-Versus-

Chairman, Katwa-Kalna Co-operative Agriculture & Rural
Development Bank Ltd. & Ors.

(Via Video Conference)

Mr. Sabyasachi Mukhopadhyay,
Ms. Kaushikee Banerjee

...for the petitioner

Mr. Prabir Kumar Chaudhury

....for the Bank

The order dated August 16, 2021 in WPA
1662 of 2000 shall also govern these three writ
applications.

The said order is set out hereinbelow;

*The writ petitioner is aggrieved by a notice
dated 20th September, 1999 proposing sale of the
immovable property in recovery of loans and advance
taken by the petitioner from the Bank.*

*The movable property being a Matador has
been sold. There is absolutely no valid explanation
whatsoever as to why the immovable property being
land and building has not been sold till date by the
Katwa-Kalna Co-operative Agriculture & Rural
Development Bank Ltd.*

The Counsel for the petitioner submits that that land could not be sold in view of the pendency of the writ application.

It appears from the records that the writ petition was dismissed twice earlier. Even when the writ petition was moved no stay was granted by the Court. The Court strongly deprecates failure on the part of the Co-operative Bank for not putting immovable property on sale.

Let a copy of this order be sent to the CGM, National Bank of Agriculture and Rural Development at Royd Street in Kolkata and the Manager, Reserve Bank of India, Kolkata for necessary action.

The grievance of the writ petitioner against the notice dated 20th September, 1999 cannot be entertained by this Court. There are disputed question of facts and remedy of the writ petitioner even otherwise available in the form of an arbitration under the provisions of WBCS Act, 2003 or its earlier versions.

In view of the above the writ petitions fail and hereby dismissed.

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

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)