

23.9.  
2021

**CO 1349 of 2021**

**Arpita Dalui & anr.**

**-vs-**

**Bank of Maharashtra & Ors.**

**( Via Video Conference )**

**Mr. Suman Saha .... For the petitioner**

The petitioner is aggrieved against an order dated July 1, 2021 passed by the Presiding Officer, Debts Recovery Tribunal –I , Kolkata in SA/143/2018 whereby the Bank as well as the Successful Bidder was directed to file affidavit in reply to the application for impleadment being IA No. 1063 of 2021.

Mr. Saha, learned advocate for the petitioner submits that since the Successful Bidder is sought to be impleaded as per the observations of the Tribunal on an earlier occasion, the proposed added party need not be afforded any opportunity to oppose such application.

An application for impleadment of the Successful Bidder has been filed by the petitioner before the Tribunal. A party has every right to controvert the statements made in such application by filing an affidavit-in-reply. Accordingly, in my view, the Tribunal was justified in allowing the bank as well as the successful bidder to file affidavit in reply to the application for impleadment. The impugned order does not call for any interference

CO 1349 of 2021 is accordingly disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the learned advocate for the parties on usual undertakings.

**( *Hiranmay Bhattacharyya, J.*  )**