

03.12.2021
Item No. 02
Court No.18
A.J.

C.O. 1617 of 2021

(Through Video Conference)

**Fullerton India Credit Company Limited & Anr.
-Vs-**

Dipanjan Bhattacharya & Ors.

Ms. Sutapa Sanyal,
Mr. Triptimoy Talukder,
Mr. Abhiraj Tarafdar.
...for the petitioners.

Affidavit-of-service filed on behalf of the petitioners be kept with the record. None appears on behalf of the opposite parties in spite of service.

The pendency of the connected S.A. 301 of 2020 before the Debts Recovery Tribunal-III, Kolkata is causing delay in disposal of the execution case levied to execute the award passed in S.A. 493 of 2018.

It appears from record that the hearing of the S.A. 301 of 2020 is almost complete but final disposal of it was deferred on March 12, 2021 enabling the parties to cite some decisions on the question of maintainability of the said application.

The stage of the said proceeding clearly indicates that there cannot be any plausible reason to defer the disposal of the said application further.

Therefore, the Debts Recovery Tribunal-III, Kolkata is requested to dispose of the said S.A.

301 of 2020 as expeditiously as possible in accordance with law, preferably, on the next date fixed for hearing of the said application. However, in the event, due to any unavoidable circumstances it cannot be disposed of on the said date, it must be disposed of within seven days thereafter.

The petitioners are required to communicate this order to the opposite parties by December 08, 2021.

C.O. 1617 of 2021 is disposed of without any order for costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)