

Daily List 24
Bpg & Sg.
December 27,
2021

**In the High Court at Calcutta
Civil Revisional Jurisdiction
(Via Video Conference)**

C.O. No.2239 of 2021

**Syed Sahrab Ahamed
Versus
The Authorised Officer, Punjab National Bank**

Mr. Prantik Gorai,
Mr. R.S. Tiwari.
...for the petitioner.

The petitioner has preferred an appeal before the Debts Recovery Appellate Tribunal, Kolkata. To that effect, the petitioner has also tendered pre-deposit amount towards entertaining such appeal.

Learned advocate appearing for the petitioner draws the attention of this Court to the bank draft of Rs.6,75,000/- which is in the name of the Registrar, Debts Recovery Appellate Tribunal, Kolkata bearing no.952508 dated 10.11.2021.

Learned advocate submits that presently there is no presiding officer in the Debts Recovery Appellate Tribunal, Kolkata and, as such, the appeal cannot be considered on merits.

In view of the appellate authority not being able to exercise its discretion, I direct that there shall

be a stay of the execution of the order dated 24.06.2020/02.07.2020 passed by the District Magistrate, North 24 Parganas, till the appeal is taken up on merits on the point of admission before the Debts Recovery Appellate Tribunal, Kolkata.

The opposite parties/respondents will be at liberty to pray for vacating the aforesaid order by taking out an appropriate application.

With the aforesaid observations, C.O.2239 of 2021 is disposed of.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)