

23.12.2021

Sl. 7

Ct.No. 37

Amalranjan

(Via Video Conference)

**IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

(COMMERCIAL DIVISION)

FMAT 784 of 2021

**West Bengal Financial Corporation
Vs.
Goutam Surana & Ors.**

Mr. Jishnu Chowdhury
Mr. Aritra Basu
Mr. Abhijit Sarkar
Mr. Abhik Chitta Kundu
...for the appellant/petitioner

Mr. Biswaroop Bhattacharya
Mr. A. Dhar
Mr. Debobrata Das
Mr. P. Das
Mr. Durbadal Sen
...for the respondents

We admit the appeal.

As the point involved is very short, we propose to dispose of this appeal dispensing with all formalities.

We notice that the learned judge has advanced no reason while ordering status quo including that in respect of e-auction sale notices and the process thereunder.

Let the said application for interim relief on which the impugned order dated 14th December, 2021 was passed, be considered by the learned judge of the court below on the next returnable date on 4th January, 2022 afresh upon hearing the parties.

We only direct that the respondents will be free to proceed with the auction sale, but shall not make it absolute without the leave of the learned judge till 24th January, 2022 or until final order in the application, whichever is earlier.

We also direct the court below to dispose of the said application by 21st January, 2022.

The appeal (FMAT 784 of 2021) is disposed of without interfering with the impugned order except to the above extent.

(Aniruddha Roy,J.)

(I. P. Mukerji,J.)