

OD -9

WPO 157 of 2021
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

DHIMAN DEBNATH AND ANR.
VS
THE STATE BANK OF INDIA AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : April 13, 2021.

Appearance:
Mr. Anjan Bhattacharya, Adv.
...for petitioner.
Ms. Deblina Lahiri, Adv.
Mr. Debashis Sarkar, Adv.
Mr. Mrinmoy Chatterjee, Adv.
...for respondents.

The Court: Learned Counsel for the petitioner argues that, despite the petitioners having cleared all dues to the respondent no 1 Bank in terms of a loan arrangement, the respondents are withholding original title deeds of the petitioners.

Learned Counsel appearing for the respondent Authorities submits that there are disputes as to the quantum of outstanding dues from the petitioners to the Bank. However, learned Counsel for the respondent Authorities, in her usual fairness, submits that the Bank is ready to consider the representation of the petitioner, annexed at page 25 (Annexure P3) of the writ petition, upon hearing the petitioner.

Since there is little scope of adjudication of such factual dispute within the scope of the present writ petition, it would be prudent to pass such a direction of consideration of the representation as suggested by the Bank.

Accordingly, WPO 157 of 2021 is disposed of by directing respondent no. 2 to decide on the representation of the petitioner, annexed at page 25 of the writ petition, upon giving an opportunity of hearing to the petitioner. It is made clear that the merits of the respective claims of the parties have not been gone into by this Court.

There will be no order as to costs.

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

(SABYASACHI BHATTACHARYYA, J.)