

OD-2

WPO/1129/2021
IN THE HIGH COURT AT CALCUTTA
Ordinary Original Civil Jurisdiction
ORIGINAL SIDE

DR. DIPANKAR CHAKRABARTI
VS
THE REGISTRAR, DEBT RECOVERY APPELLATE TRIBUNAL AT KOLKATA AND
ORS

BEFORE:
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date : 22nd November, 2021.

Appearance:
Mr. Dipankar Chakraborty (in prson)
...for petitioners.
Mr. S.K. Narjang, (in person)
...for DRAT Kolkata

The Court: The petitioner Dr. Dipankar Chakraborty appears in person, with the leave of court, and submits that despite the pendency of an appeal of the petitioner for a long time before the Debts Recovery Appellate Tribunal, Kolkata and the petitioner having taken adequate steps for rectifying the defects in the said appeal, the appeal is not taken up by the appellant tribunal for hearing.

The Registrar, Debt Recovery Appellate Tribunal, also appears in person with leave of court and indicates that the petitioner has to come to the tribunal and carry out certain corrections personally and to sign on relevant papers for the tribunal to be able to look into the matter and adjudicate the same.

Such attitude of the Registrar is fair enough in the view of this Court.

Although the petitioner also prays for certain interim orders at this stage, I choose not to go into the merits of the same, since it would be usurping the jurisdiction of the tribunal to that extent.

In any event, in view of the aforesaid observations, WPO 1129 of 2021 is disposed of by directing the petitioner to approach the respondent no. 1 during the course of the day during the office hours of the Debts Recovery Appellate Tribunal, Kolkata and to carry out the necessary corrections, if any, as indicated by the Registrar, Debts Recovery Appellate Tribunal, Kolkata.

The respondent no. 1 shall cooperate with the petitioner in that regard and indicate the exact defects in the petitioner's matter so that those can be rectified and the petition is not kept pending for an indefinite period for minor technicalities.

Respondent no. 1 of the Appellate Tribunal is further requested to ensure that a system, including a help-desk, is put in place as early as possible to provide assistance and guidance to laymen, who come to the said tribunal for justice, so that minor nitty gritty of technicalities need not hinder the tribunal from hearing the grievances of the litigants expeditiously. Parties shall act on the server copy of this order.

In view of the nature of the directions passed, the presence of Allahabad Bank is not considered necessary at this juncture.

No order as to costs.

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

(SABYASACHI BHATTACHARYYA, J.)

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