

20.01.2022
Court No.13
Item No.10
pk

WPA 337 of 2022

**Chinmoy Mondal
Vs.
State Bank of India and Ors.**

(Through Video Conference)

Mr. Sagar Bandyopadhyay,
Mr. Debasish Karmakar,
Mr. Abhishek Banerjee

... For the Petitioner.

Mr. Pijush Kanti Roy

... for the Bank.

Mr. Pijush Kanti Roy, learned advocate for the Bank, produces certain orders of the Debts Recovery Tribunal No. 2, Kolkata dated 13.01.2022 in S. A. 84 of 2020 (I.A. No. 17 of 2022 and I.A. No. 18 of 2022).

Mr. Roy fairly submits that his client has committed error in not bringing the order of restraint by the Debts Recovery Tribunal No. 2, Kolkata dated 22nd September, 2021 to the notice of the Co-ordinate Bench on 22.11.2021 in WPA 17278 of 2021.

It is possible that the order dated 22.11.2021 was not available on the same day, for being produced before the Co-ordinate Bench in WPA 17278 of 2021.

In that view of the matter, the order dated 22.11.2021 of Co-ordinate Bench need not be given any further effect.

The Debts Recovery Tribunal No. 2, Kolkata shall fix up final hearing of S. A. 84 of 2020 subject to its convenience. It is expected that the aforesaid S.A.

itself shall be disposed of by the Debts Recovery Tribunal No. 2, Kolkata within a period of six months from the date of communication of a copy of this order.

The bank has used affidavit in opposition to the S.A. 84 of 2020 and a fresh copy of the same shall be furnished to the counsel for the writ petitioner.

The order of the District Magistrate, Purba Bardhamnan dated 24.12.2021 shall remain in abeyance and abide by any final order that may be passed by the Debts Recovery Tribunal No. 2, Kolkata in S. A. 24 of 2020.

With the aforesaid directions, the writ petition is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)