

June 23, 2022
Sl. No.67
Court No.8
s.biswas

FMA 882 of 2016
With
CAN 2 of 2015 (Old No.CAN 7717 of 2015)

United Bank of India
vs.
Jay Banerjee

The appellant is not represented.

On the earlier occasion also i.e. on 20.06.2022 the parties were not represented nor any accommodation had been prayed for on their behalf.

In view of the earlier order we dispose of the appeal on the basis of the materials available on record.

It appears from the evidence that the plaintiff had taken a loan of ₹5,36,000/- and with accrued interest had paid ₹7,33,624/- to the defendant/appellant for the purchase of a vehicle having its registration number WB-15B-8550.

The plaintiff contended that in spite of payment of the aforesaid sum, the persons identified themselves as recovery agent of the respondent/appellant had forcibly tried to take possession of the vehicle.

In view of the materials available on record, we do not find any reason to interfere with the order of the learned Trial Court.

The appeal is dismissed. In view of the dismissal of the appeal the application also stands dismissed.

No order as to costs.

We find from the status report that the learned Trial Judge has fixed the matter for hearing on 3rd August, 2022. We request learned Trial Judge to dispose of the suit being Title Suit No. 767 of 2015 as expeditiously as possible without granting any further unnecessary adjournment.

Let this order be communicated to the learned Judge, 5th Bench, City Civil Court, Calcutta.

(Siddhartha Roy Chowdhury, J.)

(Soumen Sen, J.)