

20.05.2022.
Item No. 7
Court No.13
pk

CPAN 196 of 2022
In
W.P.A. No. 21278 of 2021

Sri Rudra Bhattacharya & Anr.
Versus
Shri A.K. Chaturbedi, Debt Recovery Tribunal-III,
Kolkata

Mr. Rudra Bhattacharya.
...petitioner in person.

Mr. Sanjib Das,
Ms. Mahuya Ghosh,
Ms. Sukriti Dutta.
...For the alleged contemnor no.1.

Mr. Ramesh Chandra Prusti,
..For the alleged contemnor no.2.

It appears from the compliance report that the Presiding Officer, DRT-III, Kolkata has disposed of SA 142 of 2015 by judgement and order dated 08.03.2022. The last line of the judgement is that “I.A.s (Interlocutory Application) are also disposed of”.

Petitioner submits I.A. No. 1360 of 2019 in the SA 142 of 2015 related to allegations of tampering of document and records of the DRT-III by the Bank which has not been disposed of. An order of the DRAT, dated 12.12.2019 in Appeal No.68 of 2018 is referred to, where specific directions to dispose of the said I.A. 1360 of 2019 have been passed.

Counsel for the Bank submits that by an order dated 15th July, 2021, the Co-ordinate Bench of this Court in C. O. 592 of 2021, has held that allegations

of tampering of documents made by the petitioner is baseless.

It appears to this Court in no uncertain terms, that I.A. No. 1360 of 2019, has not been dealt with by the Tribunal.

This Court, is, therefore, satisfied that the order dated 1st April, 2022 has not been complied with. This Court directs the Registry of this Court to transmit a copy of this order to the Chairperson of the DRAT at Kolkata, to take appropriate action against the concerned persons, for non-compliance of this Court's order read with the order of the DRAT dated 12.12.2019 passed in Appeal No. 64 of 2018.

This Court records its anguish and displeasure at the disregard of its order by the Presiding Officer, DRT-III, and the conduct shall not be reported.

The Chairman of the DRAT shall be at liberty to take all and any available steps for the aforesaid non-compliance of this Court's order and the order of the DRAT dated 12th December, 2019 passed in Appeal No.64 of 2018.

The contempt application is disposed of.

Rule, if any, shall stand discharged.

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

(Rajasekhar Mantha, J.)

