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C.O. 1134 of 2022

**Shri Bihariji Cold Rollers Private Limited & Ors.
Vs
State Bank of India & Ors.**

**Mr. Saptangshu Basu, Sr. Adv
Mr. Arijit Bardhan,
Mr. M. K. Gupta,**

... For the petitioners.

**Mr. Om Narayan Rai,
Mr. Debasish Chakraborty,**

... For the opposite parties.

The subject matter of challenge in this revisional application is against the judgment and order dated 29th March, 2022, passed by the learned Judge-in-Charge, Debts Recovery Tribunal –I, Kolkata in S.A No. 205 of 2015.

Mr. Saptangshu Basu, learned senior advocate for the petitioners/applicants submits that in the court below, the matter was posted on 29th April, 2022, for an order in connection with an interlocutory application, but suddenly, some times in March, the entire proceeding has been dismissed by the impugned judgment and order.

It is thus contended by Mr. Basu that there has been error of jurisdiction committed by the Court below in giving the decision of pending proceeding in final form, keeping the interlocutory application pending.

Mr. Basu, wants to prefer appeal or review, as per his choice under the provisions of the law, so as to challenge the order impugned in this case, and proposes for granting some interim protection till the date of filing such proposed application before the Court concerned.

It is gathered knowledge from the submissions disclosed by the learned advocate for the opposite parties that three properties involved in the subject under reference have already been sold, and some other properties are yet to be sold.

Without going into the details, let there be an order directing stay of operation of the impugned judgment, dated 29th March, 2022 passed in S.A. No. 205 of 2015 of learned Judge-in-charge, Debts Recovery Tribunal-I, Kolkata for a period of fifteen (15) days from hence, simply to file the proposed application, as per choice of petitioners, within such time (15 days).

It is further clarified that if any such application, as referred hereinbefore, is filed before the Court concerned, with a prayer for stay, the same may be decided afresh independently in accordance with law, without being influenced by the order made by this Court.

With this observation and direction, the revisional application stands disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)