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C.O. 1422 of 2022

**M/s Black Diamonds Petro Products Pvt. Ltd.
And Ors
Vs
UCO Bank and Anr**

Mr. Basudeb Mukherjee,
Mr. Triptimoy Talukder,
Mr. Sibendranath Sil,

... For the petitioners.

Mr. Sailesh Mishra,

... for the UCO Bank.

Mr. Basudeb Mukherjee, learned advocate appearing for the petitioners submits that the impugned order is appealable, and the moment when the motion was admitted by this Court, it was due to the absence of regular Presiding Officer of the Debt Recovery Appellate Tribunal.

Mr. Sailesh Mishra, learned advocate appearing for the opposite parties/Bank submits that appellate body has resumed its function. In a situation like this, petitioner wants to withdraw the revisional application.

The revisional application stands dismissed, as withdrawn, thereby permitting the petitioners to prefer an appeal before the Debt Recovery Appellate Tribunal.

The limitation period provided for preferring appeal should not be construed to be bar for the peculiarity of the circumstances, presented by the petitioners, which is not opposed by the learned

advocate appearing for the opposite parties /Bank.

The appeal may be filed as such within one week from the date of communication of this order.

The certified copy of the impugned order be returned to the learned advocate on record after retaining a photocopy of the same.

The interim order granted in this case be continued till the filing of this appeal, as mentioned hereinabove.

The stay application, if any, filed before the appellate body, the same shall be considered in accordance with law providing an opportunity of hearing to either of the parties.

(Subhasis Dasgupta, J)