

4th August, 2022
(D/L No.17)
(SKB)

W.P.A. 16629 of 2022

M/s Satyanarayan Bhandar and another
Versus
The State of West Bengal and others

Mr. Sunny Nandy,
Mr. Aditya Mondal,
Mr. P. K. Tiwari

... for the petitioners.

Mr. Debraj Sahu

... for the State.

Mr. Pratip Mukherjee,
Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh

... for respondent nos.2 to 5.

The affidavit of service is taken on record.

The petitioners have challenged a Notice of Sale dated 6th July, 2022. Since it is undisputed that the DRT-III is not functioning and the fact that the petitioners have already filed an application before the DRT-III on 17th July, 2022 against the Notice of Sale dated 6th July, 2022, the respondent Bank is restrained from taking any steps in terms of the said Notice until DRT-III starts functioning or the matter is assigned to any other Bench of the DRT. The Bank is given liberty to expedite the proceedings before the DRT or to take steps to assign the pending application before any other Bench of the DRT.

It is made clear that the court has not gone into the merits of the case and this order is only to a limited interim for a duration since DRT-III admittedly not functioning since June, 2022.

W.P.A.16629 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)