

10th August, 2022
(D/L No.26)
(SKB)

W.P.A. 18083 of 2022

Aniruddha Abedin the Proprietor of
M/s. Aniorban Distributors and another
-Versus-
State Bank of India and others

Mr. Siddhartha Banerjee,
Mr. Debashis Karmakar,
Mr. Arya Nandi,
Mr. Satyam Ojha

... for the petitioners.

Mr. Debashis Saha,
Ms. Dipika Basu

... for the Bank.

The affidavit of service is taken on record.

The petitioners have challenged an e-auction Sale Notice dated 25th July, 2022 pursuant to which the sale is due to take place today i.e. 10th August, 2022.

The petitioners filed an appropriate application before DRT-II on 6th August, 2022 but learned counsel appearing for the petitioners submits that DRT-II has ceased to function from 2nd August, 2022.

Learned counsel appearing for the Bank is present. Counsel submits that the petitioners can well go before the DRT-I, which is fully functional, but apprehends that the petitioners will not take any such steps.

Upon hearing learned counsel appearing for the parties, this court is of the view that since the petitioners have already shown their *bona fides* in approaching DRT-II on 6th August, 2022 challenging the

Sale Notice of 25th July, 2022, the petitioners are entitled to limited interim relief.

The respondent Bank shall be directed not to take any further steps in terms of the Sale Notice dated 25th July, 2022 until DRT-II resumes its functions or the matter is assigned to any other Bench of the DRT. The Bank shall also be at liberty of expediting the proceedings and the petitioners are also directed to take steps to ensure that the application is heard by a Bench of DRT.

W.P.A. 18083 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)