

Ct. 05
Item No.25
30.09.2022
(Suvendu)

**WPA 21379 of 2022
With
CAN 1 of 2022**

**Anil Das
Vs.
District Magistrate,
North 24 Parganas & Ors.**

Mr. Sourjya Das
.....for the petitioner
Mr. Ramesh Ch. Prusti
Mr. Sanjib Das
.....for the Bank

The petitioner seeks an urgent relief against an Order of the District Magistrate, North 24 -Parganas dated 29th August, 2016 passed under the Securitization Act, 2002.

According to learned counsel appearing for the petitioner, the address mentioned in the said order does not tally with the address mentioned in a communication of the Bank of 11th August, 2014. Counsel submits that the order of the District Magistrate was not served on the petitioner and the petitioner came to know about the impugned action only when the police authorities visited the petitioner. Counsel submits that the petitioner is also not able to go before the

DRT since the Registrar disallowed the petitioner to file an appropriate application.

The respondent Bank is represented.

Upon hearing learned counsel appearing for the parties, this Court is of the view that since two different addresses are mentioned in two places, the petitioner should be allowed to file an appropriate proceeding before the DRT under the 2002 Act.

WPA 21379 of 2022 and CAN 1 of 2022 are disposed of with a direction on the concerned Registry of the DRT to accept the application of the petitioner for appropriate relief.

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

(Moushumi Bhattacharya, J.)