

Ct. 05
Item No.23
21.09.2022
(Suvendu)

WPA 21669 of 2022

**Arkaprabha Deb & Anr.
Vs.
State Bank of India & Ors.**

Mr. Subhankar Nag
Mr. S. Roy
Mr. Shahrukh Raja
.....for the petitioners
Mr. Soumya Roy
Ms. Banazir Kazi
Mr. Santosh Mahato
.....for the SBI
Mr. Avishek Guha
Ms. Debarati Das
Ms. Akansha Chopra
.....for the respondent nos. 3 & 4

The predicament of the petitioners is that despite taking appropriate application before the DRT –III against the Notice of dispossession dated 8th July, 2022, the petitioners have not been able to get their matter heard by the concerned Bench of the DRT –III.

Learned counsel submits that the matters of the DRT –III were assigned to the DRT –I and the Presiding Officer went on leave thereafter.

Learned counsel appearing for the Bank submits that the DRT –I is due to take up the matters of the DRT –III from 2 p.m. today. Counsel submits that the Bank has not taken any steps with regard to the impugned Notice dated 8th July, 2022 till date.

Since the petitioners have a statutory forum available to them under the Securitization Act, 2002, the petitioners are directed to avail of that forum.

The stand of the Bank is taken note of.

Since the parties are represented, the Bank shall not take any steps until the matter is heard out by the concerned Bench of the DRT but limited to 30th September, 2022.

The Bank shall be at liberty of taking all the points before the DRT.

WPA 21669 of 2022 is disposed of in terms of the above.

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

(Moushumi Bhattacharya, J.)