

12.07.2022
Court No.1
Item No.60
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

**MAT 76 of 2021
With
CAN 1 of 2022**

**Smt. Sudipta Sengupta
Vs.
The Registrar, Debt Recovery Tribunal and Ors.**

Mr. Kunaljit Bhattacharya
Mr. Ankan Mitra

... For the Appellant.

The appeal is directed against an order dated 29th November 2021 passed by the learned Single Judge in WPA 2239 of 2021. The subject matter of the writ petition is the order dated 15th July 2021 passed by the Presiding Officer, Debts Recovery Tribunal, Siliguri.

The writ petition was filed since the appropriate bench of the Debts Recovery Tribunal, Siliguri was not available.

This Court notes that such Bench of the Debts Recovery Tribunal is, in fact, available and even otherwise the matter can be taken up before the Principal Bench.

If the petitioner is even otherwise aggrieved, she has an effective alternative remedy before the Debts Recovery Appellate Tribunal, Kolkata.

This Court, therefore, finds that there is no infirmity in the impugned order. Accordingly, no relief can be granted to the appellant.

Hence, the appeal being MAT 76 of 2021 is hereby dismissed.

In view of the dismissal of the appeal, connected application being CAN 1 of 2022 is also dismissed.

It is made clear that this Court has not expressed any opinion on the merits of the claim raised by the appellant against the bank and vice versa.

(Rajasekhar Mantha, J.)

(Ananda Kumar Mukherjee, J.)