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08.08.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 4217 of 2023

Partha Dey
Vs.
General Manager,
Bank of Baroda & Ors.

Mr. Kaushik Chandra Gupta
...for the petitioner

Mr. Dipanjan Datta
...for the Bank of Baroda

Learned counsel appearing for the petitioner submits that despite the amount due to be repaid by the petitioner having been settled fully and finally by way of one time settlement (OTS), the respondents are not releasing the title deed of the petitioner.

Learned counsel appearing for the respondent-authorities submits that although the OTS amount was paid by the petitioner prior to the filing of the writ petition, the OTS itself was sanctioned during the pendency of the writ petition.

Upon hearing learned counsel for the parties, it transpires that at present, admittedly, the OTS Scheme between the parties has fructified. As such, there cannot be any further impediment on the part

of the respondents to release the title deed of the petitioner.

Accordingly, W.P.A. No. 4217 of 2023 is disposed of by directing the respondents to hand over the title deed of the petitioner, lying with the respondents, to the petitioner, as expeditiously as possible, preferably within a fortnight from date, in view of the dues between the parties having been settled fully and finally.

For the purpose of getting back the title deed, the petitioner and/or his authorised representative shall approach the respondent-authorities within the time stipulated above.

Upon such approach being made, the respondent-authorities shall hand over the title deed as directed above.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)