

Ct. 05
Item No.27
15.03.2023
(Suvendu)

WPA 4515 of 2023

Sri Panchu Pramanik.
Vs.
The State of West Bengal & Ors.

Mr. Biswaroop Bhattacharya
Mr. Pratik Majumdar
.....for the petitioners

Mr. Kaushik Modak
Ms. Mousumi Pal
Mr. Mohit Gupta
....for the respondent nos. 4 & 5

Mr. Raja Saha
Mr. Shuvro P. Lahiri
.....for the State

The supplementary affidavit filed on behalf of the petitioner is taken on record.

The petitioner has filed an application before the DRT, Siliguri Bench against an order passed by the concerned District Magistrate on 15th February, 2023. The application was filed on 9th March, 2023 and has been made returnable on 29th March, 2023. The respondent Bank is a party to the application.

The petitioner apprehends that the respondent Bank may take certain steps before the matter is heard. The records before the Court show that by an order dated 28th February, 2023, an

earlier application filed by the petitioner was disposed of as having become infructuous by reason of the Bank stating that the sale could not go through. There is no fresh Sale Notice. The writ petition does not contain any document to indicate a fresh cause of action pursuant to any action taken by the Bank. The apprehension of the petitioner of any steps being taken by the Bank is hence not founded on any new facts. However, since the petitioner's application is pending before the particular Bench of the DRT, it is naturally expected that the Bank will not take any steps to render that application infructuous.

It is noted that the Bank has already been served with a copy of the application pending before the DRT.

WPA 4515 of 2023 is disposed of in terms of the above.

It is made clear that this Court has not gone into the merits of this case.

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

(Moushumi Bhattacharya, J.)

