

23.03.2023
Ct. 5
D/L 21
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WPA 4929 of 2023

Mintu Paul
-Vs-
The State of West Bengal & Ors.

Mr. Supratic Roy,
Ms. Dipika Banu,
Mr. Subhadip Chakraborty

... for the petitioner

Ms. Parna Roy Choudhury

... for the respondent Bank

The petitioner has challenged an order of the District Magistrate, North 24 Parganas dated 4th November, 2022. The petitioner received the impugned order on 7th November, 2022 and filed an application before the DRT-III on 29th December, 2022. The petitioner also filed a put-up application on the same day, which was made returnable on 27th January, 2023.

Learned counsel appearing for the petitioner submits that the DRT-III did not take up the matter on that date because of Saraswati Puja. Counsel also submits that the petitioner thereafter mentioned the matter on 1st February, 2023, 6th February, 2023 and 13th February, 2023. It is submitted that the DRT-III is not sitting from 28th February, 2023.

The respondent Bank is represented.

Since the petitioner's application is pending before the DRT, the said application cannot be made infructuous by any action taken by the Bank in the meantime.

WPA 4929 of 2023 is accordingly disposed of with a direction on the respondent Bank not to take any steps until 30th March, 2023. The petitioner shall be at liberty of moving the DRT before that date or as the petitioner may be advised.

(Moushumi Bhattacharya, J.)