

22.03.2023

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Sl. No. 02

Ct. No. 05

WPA 5663 of 2023

Tapan Biswas & Anr.

-Versus-

Punjab National Bank & Ors.

Mr. Subhrajyoti Ghosh

.....for the petitioners

Mr. S. Pal Choudhury

Ms. Diya Nandi

.....for the respondents

This matter was in the list of yesterday, i.e., 21st March, 2023 as item No. 13. The Court passed an order in the matter restraining the respondent Bank from taking any steps pursuant to the impugned sale notice till 25th March, 2023 and the petitioner was given liberty to approach the Debts Recovery Tribunal in the meantime.

It later transpired that the order had been passed in a different writ petition being WPA 5653 of 2023 which was not in the cause list of yesterday, i.e., 21st March, 2023. Hence, the order passed in WPA 5653 of 2023 should be taken as the order which should have been passed in the present matter being WPA 5663 of 2023.

Learned counsel appearing for both the parties were informed over telephone that both the matters would be listed under heading “To Be Mentioned” today,

i.e, 22nd March, 2023. Counsel for the parties are present before the Court.

Learned counsel appearing for the respondent/PNB submits on instruction that the sale which was scheduled for yesterday, i.e, 21st March, 2023, could not go through due to insufficient number of bidders.

Since the impugned sale notice could not be given effect to by the Bank for the above reasons, nothing further remains in the present writ petition.

WPA 5663 of 2023 is accordingly disposed of in terms of the above.

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

(Moushumi Bhattacharya, J.)