

29.3.2023

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sl. 129

WPA 7200 of 2023

Mursed Ali Din
Vs
The State of West Bengal & Ors.

Mr. Rajib Kumar Acharyya,
Mr. Banshi Badan Maity
... For the Petitioner.
Mr. Pradip Kumar Roy,
Mr. Prabir Kumar Ray
Mr. Joydeep Roy
... For the State.

Heard learned Advocates appearing for the parties.

Petitioner has filed this writ petition against the impugned action of recovery of loan by the respondent/Co-operative Bank for recovery of its loan, by way of auctioning the property in question belonging to the petitioner. It is an admitted position that the loan has been taken and has not been paid and petitioner is not in a position to repay the loan.

Considering the facts and circumstances of the case, I am not inclined to entertain this writ petition being WPA 7200 of 2023 and, accordingly the same is dismissed.

However, dismissal of this writ petition will not prevent the respondent authority concerned to give statutory benefit to the petitioner, if the due amount is repaid within the statutory period of one month of auction.

(Md. Nizamuddin, J.)

