

28th June,
2023
(AK)
11

W.P.A 14453 of 2023

Jakir Mandal
Vs.
Union of India and others

Mr. Dilip Kumar Samanta
Mr. B.P. Samanta

...for the petitioner.

Mr. Rajdeep Mazumder
Mr. Moyukh Mukherjee
Mr. Arijit Majumdar

...for the Union of India.

Learned counsel for the petitioner contends that despite the petitioner having given a representation in the form of an “objection” on May 29, 2023, the respondent no.3-Tata Motors Finance Limited has not yet considered the same.

It is submitted that musclemen of the said financial institution have attempted to seize the vehicle of the petitioner on the allegation that the petitioner has not repaid the loan, although the petitioner has been paying installments.

However, it is seen from the prayers made in the writ petition as well as the said representation, annexed at page-19, that the primary concern of the petitioner is that no copy of the loan agreement between the parties has been handed over to the petitioner.

Hence, WPA 14453 of 2023 is disposed of by directing the respondent no.3 to hand over a copy of the loan agreement between the petitioner and the respondent no.3 to the petitioner at the earliest, positively within three working days from the date communication of this order to the respondent no.3.

Upon getting such copy of the loan agreement, the petitioner will be at liberty to take further steps in accordance with law if the petitioner has any other grievance against the financial institute on such score.

Nothing in this order shall prejudice such further right of the petitioner.

The parties shall on a server copy of this order.

It is made clear that further service has not been directed on the respondent nos. 2 and 3, in view of the innocuous nature of the order passed.

The respondent no.1-Union of India, in any event, is only a proper party but is represented in court today through counsel.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)