

DL 21
28.06.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 14764 of 2023

M/s Vishal & Vishal
Vs.
Punjab National Bank & Ors.

Mr. Subhadip Biswas
...for the petitioner

Mr. Abhishek Banerjee,
Ms. Parna Roy Choudhury,
Ms. Shilpa Thapa
...for the Bank

Mr. Shamit Sanyal,
Ms. Priyakshi Banerjee
...for the private respondent

Learned counsel appearing for the petitioner contends, shorn of unnecessary details, that the dispute raised by the petitioner went up to the appellate tribunal, wherein orders were passed on March 01, 2023 and March 03, 2023, directing the presiding officer of Debts Recovery Tribunal, Siliguri, who is link officer of DRT-II, Kolkata, to decide the matter as expeditiously as possible, preferably within fifteen days, which was modified subsequently by the order dated March 03, 2023, recording that the Presiding of DRT-I, Kolkata had taken charge of DRT-II, and transferring the proceeding to DRT-I, Kolkata. However, the matter has not been decided by the DRT-I, Kolkata as yet.

It is contended that the petitioner was evicted from the disputed property as long back as on March 09, 2023. It is submitted that, hence, the petitioner is suffering inordinately.

Heard learned counsel for the parties.

In view of the innocuous nature of the prayer, no affidavits are being directed.

W.P.A. No. 14764 of 2023 is disposed of by directing the Debts Recovery Tribunal-I, Kolkata to dispose of the petitioner's application, being TSA 1 of 2023, pending before the said tribunal, as expeditiously as possible, positively within July 21, 2023.

The parties as well as the tribunal shall act on the server copy of this order, coupled with the communication of the learned advocate for the petitioner, for compliance of the same.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)