

Item No.345

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

01.12.2023
Ct-24

WPA 25024 of 2023
Sri Ashok Mandal

v.

The State of West Bengal & Ors.

Mr. Malay Bhattacharyya
Ms. Sudipa Sengupta
... for the petitioner.

Mr. Srijan Nayak
Mr. Ankit Sureka
Mr. P.S. Pal
... for the respondent nos. 2 & 3.

Mr. Arnab Ray
... for the respondent nos. 4,5 & 6.

The petitioner submits that the bank has misplaced the original title deed of the mortgaged property and despite requests the bank is unable to show the original title deed to the petitioner.

The aforesaid submission of the petitioner is disputed by the learned advocate representing the bank. Attention of the Court has been drawn to a communication made by the Chief Executive Officer of the bank on August 23, 2023 intimating the petitioner that if he desired he may have a look in the entire loan file including the original title deed at the bank premises on September 10, 2023 within the business hours of the evening branch of the bank. The petitioner, for reasons best known, did not visit the bank to peruse the loan file.

The petitioner seeks waiver of penal interest.

It will be open for the petitioner to approach the bank with his prayer.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

Sh

(Amrita Sinha, J.)