

18.12.2023
Sl. No.293(DL)
srm

C.O. No. 4280 of 2023

Piyali De

Versus

**Punjab National Bank (previously known as
United Bank of India) & Ors.**

Mr. Prantick Ghosh,
Mr. Prasad Bhattacharyya

...for the Petitioner.

The petitioner seeks expeditious disposal of an application for redemption of mortgage. The said application is an interlocutory application filed in connection with S.A. No.148 of 2023, which is pending before the learned Debts Recovery Tribunal-III, Kolkata.

The petitioner contends that the said application was filed before the sale notice had been published.

Be that as it may, this Court is not required to go into such factual aspects. It is for the learned tribunal to decide whether the redemption application is at all maintainable, by hearing the matter on merits.

Considering the submission, this Court is of the view that the prayer of the petitioner for early disposal of the application is innocuous. Neither party stands to lose if a

proceeding is disposed of expeditiously. In fact, such expeditious disposal shall enure to the benefit of the parties. Hence, there is no requirement for service of prior notice upon the opposite parties.

Under such circumstances, the revisional application is disposed of, with a direction upon the learned court below to dispose of Interlocutory Application No.2629 of 2023 positively, within a period of one month from the next date fixed, independently and strictly in accordance with law, upon allowing the parties to contest the proceeding. Unnecessary adjournments shall not be granted to any of the parties.

This Court has not gone into the merits of the interlocutory application.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties within a week.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)