

OD-2

ORDER SHEET

WPO/130/2023

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KARTICK DHAR AND ANR.
VERSUS
THE Z. M., PUNJAB NATIONAL BANK AND ORS.

BEFORE:

The Hon'ble JUSTICE MOUSHUMI BHATTACHARYA

Date : March 20, 2023.

Appearance:
Mr. Pijush Kanti Ray, Adv.
Mr. Sourajit Mukherjee, Adv.

Mr. Samrat Sen, Sr. Adv.
Mr. Abhishek Banerjee, Adv.
Mr. Avishek Choudhury, Adv.

The Court: Learned counsel appearing for the petitioner places the order of the Division Bench dated 2nd March, 2023 by which the order passed by this Court was stayed and the appellant/Punjab National Bank was permitted to implead the concerned District Magistrate in the proceedings.

Learned counsel appearing for Punjab National Bank submits that the matter may be disposed of by giving appropriate direction on the District Magistrate.

The petitioner is the successful auction purchaser of the property which was sold by the Bank.

Despite being served, the District Magistrate is not represented.

WPO/130/2023 is disposed of with a direction on the District Magistrate to dispose of the pending application within two weeks from the date of communication of this order. The order should be communicated to the District Magistrate by 22nd March, 2023.

Since the District Magistrate has admittedly not complied with the time limit under Section 14(1)(ix), first and second Provisos, there should not be any further delay in implementation of this order.

The respondent Bank shall not object to the property being handed over to the petitioner within two weeks from the date of passing the order of the District Magistrate.

The affidavit of service is kept on record.

(MOUSHUMI BHATTACHARYA, J.)