

D/L.79.
April 5, 2024.
MNS.

WPA No. 1599 of 2024
+
CAN 1 of 2024

Vaidhai Agarwal alias Sonu Kumar Kedia
Vs.
The District Magistrate, Paschim
Bardhaman and others

Mr. Sounak Bhattacharya,
Mr. Sumitava Chakraborty,
Mr. Sounak Mondal

... for the petitioner.

Mr. Tapan Coomar Dey,
Ms. Sujata Mukherjee

...for the State.

Mr. S. Nayak,
Mr. Santosh Kumar Ray,
Ms. Antalina Guha

...for the respondent no. 2.

Mr. Subhrangsu Panda,
Ms. Mithu Singha Mahapatra,
Ms. Bratati Pramanick

...for the respondent nos. 5 to 9.

1. Learned counsel for the petitioner submits that
in view of the sad demise of the father of the
learned Advocate-on-record for the petitioner
on February 9, 2024, the order dated January
29, 2024 could not be given effect to.
2. It is contended that in paragraph 17 of the
said order, the petitioner was granted liberty to
approach the concerned Tribunal within a

fortnight from that date for the reliefs in respect of the disputed property.

3. In view of the above predicament, the said application could not be filed. It is submitted that if granted liberty by this Court and the time is extended, the same can be filed as soon as on next Monday, that is, April 8, 2024.
4. It is also prayed that the interim order of *status quo*, which has been granted by the order dated January 29, 2024, be extended for a limited period to enable the petitioner to approach the concerned Debts Recovery Tribunal.
5. Upon hearing learned counsel for the parties, it is evident that there was no fault on the part of the petitioner for the delay occasioned in approaching the Debts Recovery Tribunal.
6. Accordingly, the order dated January 29, 2024 passed in WPA No. 1599 of 2024 is modified to the extent that the time for the petitioner to make an application before the Kolkata Debts Recovery Tribunal is extended till April 8, 2024. The *status quo* with regard to the disputed property, which had been passed in the said order under modification, is also extended till April 12, 2024, of course, subject to any order which may be passed by the

Debts Recovery Tribunal, if so approached by the petitioner, in the meantime.

7. CAN 1 of 2024 is disposed of in the light of the above observations without any order as to costs.
8. The parties shall act on the server copy of this order, without insisting upon prior production of certified copy thereof, for the purpose of compliance.
9. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)