

D/L
Item No. 10
06.06.2024
KOLE/SKB

WPA 15148 of 2024

Sudip Sinha
-Vs.-
The State of West Bengal & Ors.

Mr. Debasish Kar

...for the petitioner.

*Mr. Dipanjan Datta,
Mr. K. K. Bandyopadhyay,
Ms. Mohuya Dutta Biswas,*

...for the State.

*Mr. Abhishek Banerjee,
Ms. Payel Ghosh,*

...for the respondent no. 2.

Ms. Parna Roy Chowdhury,

...for the respondent no. 3.

Affidavit of service filed in court today is taken on record.

Mr. Debasish Kar, learned Counsel for the petitioner submits that the bank account of the petitioner has been freezed by the Bank Authority. Drawing attention to a representation dated April 25, 2024, Annexure “P-10” to the writ petition, learned Counsel for the petitioner submits that the same has not yet received the attention of the Branch Manager for consideration.

Ms. Parna Roy Chowdhury, learned Counsel appearing for the respondent no. 3 and Mr. Abhishek Banerjee, learned Counsel, appearing for the respondent no. 2 jointly submit that the petitioner has obtained three loans from the concerned bank and defaulted. The account of the petitioner has already been declared **Non-Performing Assets (NPA)**. The Bank shall take steps in accordance with law.

The petitioner has denied the submission and submits that regular monthly instalments are being paid.

Mr. Kanak Kiran Bandyopadhyay, learned Counsel for the State is present.

Considering the submissions made on behalf of the parties and considering the materials on record, this court directs that the respondent no. 3 shall consider the representation of the petitioner dated April 25, 2024, Annexure "P-10" to the writ petition positively within a period of seven days from the date of communication of this order and shall communicate its reasoned decision to the petitioner in writing positively within a period of three days therefrom.

It is made clear that this order shall not create any right or equity in favour of the petitioner.

It is further made clear that there shall be no fetter or embargo on the respondent Bank to proceed in accordance with law against the petitioner, if the Bank is eligible to do so in law. This order shall not stand in the way of taking any further steps by the Bank in accordance with law.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition being **WPA No. 15148 of 2024** stands disposed of without any order as to costs.

(Aniruddha Roy, J.)