

Item No.18
03.10.2024
Court. No. 9
GB

W.P.A. 20146 of 2024

Mr. Goutam Biswas & Anr.
Vs.
Corporation Bank & Ors.

*Mr. Anindya Bose,
Mr. Mridul Biswas,
Ms. Ruma Das Maity*

...for the Petitioners.

*Mr. Sailendra Kumar Tiwari,
Mr. Shambhu Mahato,
Ms. Shivansi Indoria*

...for the Respondent No.2.

1. The writ petition is disposed of without any mandatory directions. The learned Debts Recovery Tribunal-III shall decide the application filed by the petitioners challenging the jurisdiction of the Indian Bank to issue a possession notice in respect of the property which the petitioners had purchased upon obtaining loan from Corporation Bank.
2. The contention of the petitioners is that the Indian Bank proceeded on the basis of a fake deed.
3. All issues will be decided also by the learned tribunal upon hearing all the parties. The learned Debts Recovery Tribunal shall decide the application within a period of two months from date of communication of this order. The respective banks may file affidavits-in-opposition in the meantime to the said application, if not already filed.
4. Accordingly, the writ petition is disposed of.

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

(Shampa Sarkar, J.)