

September 23, 2024
Sl. No.7
Court No.9
s.biswas

WPA 20445 of 2024

Sri Sona Saha and another

vs.

Union of India and others

Mr. Tapas Kumar Dey

... for the petitioners

A wrong order has gone down in this writ petition. The order dated September 12, 2024 be deleted and the correct order will be as follows:

The subject matter of challenge in this writ petition is an order passed by the learned Debts Recovery Appellate Tribunal. The petitioners' application under Section 5 of the Limitation Act has been dismissed. Such application was filed in connection with an appeal. This is an order passed by a tribunal, in its quasi-judicial capacity. The same is amenable to the jurisdiction of the High Court under Article 227 of the Constitution of India. The provision is quoted below:-

"Article 227, Constitution of India 1950

(1) Every High Court shall have superintendence over all courts and tribunals throughout the territories in relation to which it exercise jurisdiction."

Thus, the writ petition is not maintainable and the same is dismissed.

The petitioners are at liberty to challenge such order before the appropriate forum.

The petitioner is granted liberty to take back the certified copy of the order impugned, upon furnishing a photocopy thereof.

(Shampa Sarkar, J.)