

Court No. 2
03.10.2024
(Item No. 15)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 23317 of 2024

Smt. Maya Mardi
VS

The State of West Bengal & Ors.

Mr. Kunaljit Bhattacharjee
Ms. Sharmistha Poddar
Ms. Anupama Biswas
.... For the petitioner
Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
.... For the State respondents
Mr. Sayak Ranjan Ganguly
Mr. Srijan Ghosh
Ms. Indrani Majumdar
.... For respondent No. 6

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

Mr. Kunaljit Bhattacharjee, learned counsel for
the petitioner appears through virtual mode.

Mr. Soumitra Bandyopadhyay, learned State
counsel appears for respondent Nos. 1 to 5.

Mr. Sayan Ranjan Ganguly, learned counsel
appears for private respondent No. 6, Bank.

The grievance of the petitioner is that, the two
applications as mentioned in **prayer (a)** to the writ
petition are pending before the respondent No. 2 and
had not been considered.

In view of the above, the respondent No. 5
upon issuing a prior hearing notice of at least seven
days to the petitioner and after granting her an
opportunity of hearing shall consider those two
applications dated **August 22, 2022** and **November**

22, 2022, annexure P-10 and P-11 to the writ petition respectively and by passing a reasoned order in accordance with law.

This exercise shall be carried out and completed by the respondent No. 5 positively within a period of **six weeks** from the date of communication of this order.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner as canvassed in this writ petition. The petitioner shall be at liberty to urge whatever points she wishes to urge by relying upon whatever records and documents she wishes to rely upon before the respondent No. 5 but the same shall not travel beyond the scope of the said two applications dated **August 22, 2022** and **November 22, 2022**.

It is made clear that, this order shall not create any right or equity in favour of the petitioner if, the petitioner does not succeed to her claims mentioned in those two representations strictly 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 **W.P.A. 23317 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied
for, be furnished expeditiously.

(Aniruddha Roy, J.)