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18.10.2024
A.R.D.R./S.D.
Ct. No. 7
(Vacation Bench)

C.O. 3809 of 2024

Akash Rungta
Vs.
M/s. Karimpore Motor & Ors.

Mr. Srijib Chakraborty

Mr. Rohit Mukherji

Mr. Pankaj Agarwal

Ms. Champa Pal

...For the petitioner

Mr. Pankaj Kumar Mukherjee

Mr. Subir Sena

...for the State Bank of India

Mr. Nimesh Mishra

Mr. Sanjay Mukherjee

Mr. Amit Nath

..for the respondent nos. 1 to 5

Learned advocates for all the parties are present.

Heard learned advocates for the parties.

This application is directed against the order dated September 25, 2024 passed in Miscellaneous Application No. 855 of 2024 arising out of Appeal No. 43 of 2022 passed by the learned Debt Recovery Appellate Tribunal, Kolkata. The learned Tribunal by the said order has fixed the matter for hearing on November 7, 2024 and directing the parties not to

change the nature and character of the suit property.

Upon hearing the learned advocates for the parties and considering the facts of the case and as suggested by the parties, this Court is of the view, as the matter is already fixed on November 7, 2024, necessary directions may be issued upon the Debt Recovery Appellate Tribunal to dispose of the said application being M.A. No. 855 of 2024 very expeditiously.

Thus, this revisioinal application stands disposed of with a request upon learned Debt Recovery Appellate Tribunal, Kolkata to dispose of M.A. 855 of 2024 arising out of the Appeal No. 43 of 2022 very expeditiously and preferably within a period of two weeks from the next date fixed without granting any unnecessary adjournments to any of the parties.

As no affidavits has been invited, the allegations made in the petition are deemed not to have been admitted by the parties.

It is made clear that I have not gone into the merits of the case and all points including the point of maintainability is kept open.

(Biswaroop Chowdhury, J.)

