

982. 06.05.2025
(M/L) Court No.05.

(Pritam)

WPA 1332 of 2024

Lal Mohan Pal.

-Vs.-

The State of West Bengal & Ors.

Mr. S. P. Pahari,
Mr. Tapan Kr. Mahapatra

...for the petitioner.

Mr. P. K. Roy,
Mr. Ankit Sureka,
Mr. Biplab Das

....for the respondent no.2.

Mr. Ritwik Pattanayak

....for the respondent nos. 3 to 6.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner has approached this Court to set aside the notice dated December 20, 2023 issued by the Contai Cooperative Bank Limited (hereinafter referred to as the “said bank”, which pertains to intimation regarding seizure of hypothecated vehicle.
3. The petitioner claims to have obtained a vehicle loan. Records would reveal that the petitioner had defaulted in making payment of the loan amount. It appears that the bank had since issued the above notice regarding seizure of the hypothecated vehicle. Although, the writ petition was filed on January 8, 2024, the petitioner could not secure any interim order.
4. Today, Mr. Pattanayak, learned advocate appearing on behalf of the Contai Cooperative Bank Ltd., would submit that the vehicle in question has already been sold in a

public auction on March 18, 2024 and the differential amount after adjustment of the sale proceeds towards the loan amount has been refunded and/or transferred to the petitioner's bank account maintained with the bank, on May 10, 2024. According to him, such fact would corroborate from the letter dated May 10, 2024 addressed to the petitioner, a copy whereof as placed before this Court is taken on record. Learned advocate for the petitioner would, however, submit that he is not aware of the aforesaid communication.

5. Having heard the learned advocates appearing for the respective parties, since the vehicle in question has already been sold, I am of the view that the instant petition seeking to set aside of the notice, directing seizure of the vehicle dated December 20, 2023 has become infructuous.
6. There is no scope to grant any further relief to the petition, in this petition. The writ petition being WPA 1332 of 2024, accordingly, stands disposed of. Disposal of the aforesaid petition shall, however, not standing in the way of the petitioner from proceeding against the bank in accordance with law, if so advised.
7. Urgent Photostat certified copy of this order may be supplied to the parties upon compliance of all formalities, if applied for.

(Raja Basu Chowdhury, J.)