

M/L 30
03.03.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 3260 of 2025

Amitava Ghosh & Anr.

Vs.

Union Bank of India & Ors.

Mr. Dilip Kumar Chatterjee
Mr. Partha Shankar Kundu
Mr. Durga Bhusan Mukherjee
Mr. Pranab Kr. Mallick

...for the Petitioners.

Mr. Ranajit Chowdhury
Mr. Sudipto Chowdhury
Mr. Purnendu Modak

...for the Respondent nos. 1 & 2.

Mr. Nimish Mishra
Mr. Dwarikanath Mukherjee
Mr. Manik Lal De
Mr. Kaushik Chowdhury
Mr. Durlav De

...for the respondent no. 3.

1. Affidavit of service filed in Court today is taken on record.
2. The appeal preferred by the petitioners challenging the order passed by the Debts Recovery Tribunal has been allowed by the Debts Recovery Appellate Tribunal by passing judgment on 9th January, 2025 in Misc. Application Dy. No. 160 of 2025 arising out of Appeal No. 73 of 2019. The judgment of the Debts Recovery Tribunal was set aside and the matter was remanded to the Debts Recovery Tribunal for deciding the same afresh in the light of the observation made in the body of the judgment after giving opportunity of hearing to all the parties.
3. The Tribunal was directed to decide the matter expeditiously without granting any unnecessary adjournments to either of the parties.

4. The petitioners are aggrieved as no protective order was passed by the appellate authority in their favour.
5. As it appears that, the appeal of the petitioners was allowed and the matter was remanded to the Tribunal for expeditious disposal, accordingly, it will be open for the petitioners to make the prayer for interim protection before the learned Tribunal.
6. The Tribunal is requested to consider the prayer of the petitioners for interim relief, if applied for, on an expeditious basis.
7. The writ petition stands disposed of.
8. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)