

D/L- 7
26/02/2025
Ct. No.-6
Aritra

C.O. 693 of 2025

**Malay Gayen & Ors.
Versus
Ujjivan Small Finance Bank & Ors.**

Mr. Chinmoy Pal
Mr. Archan Dutta
Ms. Megha Datta
Ms. Aditi Bhattacharya
...for the petitioners

Mr. Harpal Singh
Mr. Debraj De
Mr. Sanjay Kumar Shaw
Mr. Saurav Kr. Roy
Ms. Anindita Das
....for the OP Nos.1 & 2

By an order dated February 25, 2025 the bank was directed to remove the padlock from the property in question and to hand over possession of the property/secured asset to the petitioners on or before 10:30 a.m. today i.e., February 26, 2025.

The learned advocate appearing for the opposite parties submits that yesterday (25/02/2025) on or about 7:00 p.m. the possession of the secured asset has been handed over to the petitioners. Such fact is not disputed by Mr. Pal, learned advocate appearing for the petitioner.

However, the petitioner is directed to give an acknowledgement to the opposite parties to the effect that possession has been handed over to the petitioners in terms of the order dated February 25, 2025 on or before 4:00 p.m. tomorrow (27/02/2025).

It has been submitted by Mr. Pal learned advocate for the petitioners that tomorrow i.e., February 27, 2025 is the date fixed before the Debts Recovery Tribunal- III, Kolkata for hearing of the interlocutory application being IA No.4988 of 2024.

The learned Debts Recovery Tribunal- III, Kolkata is requested to take up the hearing of the interlocutory application on the next date fixed i.e., on February 27, 2025 and to dispose of the same as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

The learned appearing for the opposite parties submit that liberty be given to the opposite parties to proceed in accordance with the provisions of Section 14 of the SARFAESI Act in accordance with law. The learned advocate for the opposite parties however, on instructions, submits that the secured creditor shall not take any steps in that regard for a period of two weeks from date. Such submission is placed on record.

With the above directions and observations CO 693 of 2025 stands disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)