

02.12.2025.
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Ct.No.24.
as

WPA 11763 of 2025
with
CAN 2 of 2025

Dharmendra Singh
Vs.
The State of West Bengal & Ors.

Mr. Amitava Pain,
Mr. Subhrangshu Datta.
...for the Petitioner.
Ms. Rituparna Maitra.
...for the State.
Mr. Srijan Nayak,
Mr. Biplob Das.
...for the Respondent Nos.2, 3 & 5.
Mr. Arnab Ray,
Mr. Shirsho Banerjee.
...for the Respondent Nos.4 & 6.
Mr. Tapas Mukherjee.
...for the Applicant.

1. Mr. Ray appears for the Receiver and files his report in compliance of the order of this Hon'ble Court on August 26, 2025.
2. The petitioner is aggrieved by the fact that inspite of depositing the entire amount of approximately Rs.24 lakhs towards the auction sale, the petitioner has not been handed over possession of the property, which he has purchased.
3. On the other hand, the borrower, whose property has been sold has raised a dispute case being Dispute Case No.04/D of 2024 before the Assistant Registrar of Co-operative Societies, Co-operation Directorate, Howrah Range Office in 2024, which is pending since.

4. The Receiver appointed is presently in symbolic possession of the said property. The concerned Receiver will remain in such possession till the dispute case being Dispute Case No.04/D of 2024 is disposed of. The added respondent, who is the borrower is restrained by an order of injunction from dealing with alienating and/or encumbering the subject property in any manner whatsoever.
5. The Assistant Registrar of Co-operative Societies, Co-operation Directorate, Howrah Range Office is directed to dispose of the dispute case being Dispute Case No.04/D of 2024 within a period of four weeks from date.
6. Upon such disposal, the Assistant Registrar of Co-operative Societies, Co-operation Directorate, Howrah Range Office will take necessary steps and direct the Receiver either to hand over possession to the borrower or to take actual physical possession and give it to the successful auction purchaser, depending on the outcome of the dispute case being Dispute Case No.04/D of 2024.
7. The added respondent will remain in possession of the suit property under the Receiver till the disposal of the Dispute Case No.04/D of 2024.
8. With these aforestated directions, the instant writ petition is disposed of.
9. There shall, however, be no order as to costs.
10. The connected application being CAN 2 of 2025 also stands disposed of.

11. Since affidavits have not been called for, the allegations contained in the petition are deemed to have been denied.
12. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Rectobroto Kumar Mitra, J.)