

WPA 13759 of 2025

Subhendu Sen
Vs.
The State of West Bengal & Ors.

Mr. Sujit Sankar Koley
.... for the petitioner

Mr. Pabitra Charan Bhattacharjee
Mr. Sovan Nayak
..... for the respondents no. 4 & 5

1. The petitioner's grievance has already been addressed by the order passed by a Co-ordinate Bench of this Hon'ble Court on March 5, 2020.
2. The petitioner has, in terms of the afore-stated order, made payment of the entire sum of Rs.10,44,813/- along with interest thereon.
3. Mr. Bhattacharjee, learned Advocate appearing for the respondent Nos.4 and 5, submits that such payments were made belatedly. On account of that a further sum of Rs.1.11 lakhs has become due and payable by way of interest and penal charges.
4. The petitioner submits that the delay has occurred as payments were made over a period of five years in instalments of Rs.19,650/- which itself included an interest component.
5. Mr. Bhattacharjee, submits that this component is pursuant to the award of May 29, 2014 and the

time taken in liquidating the sum of Rs.10,44,813/- has been delayed since 2020 till 2025.

6. In view of this delay, additional component on account of interest of Rs.1.11 lakhs has been imposed.
7. The petitioner has offered to make payment of a further sum of Rs.50,000/- towards full and final settlement of the loan. It is not in dispute that the entire sum along with interest, as awarded, has already been liquidated by the petitioner in terms of an order of this Court. It is also indisputable that the bank has received such money over a period of five years, thus, causing a delay in the process of liquidation.
8. In order to create an equitable balance, I direct that a sum of Rs.50,000/-, as suggested by the petitioner, be paid in full and final settlement of the loan amount, as prayed for by the petitioner, in three equal instalments, commencing from January 10, 2026 and for successive months thereafter till the sum of Rs.50,000/- is liquidated.
9. In the event of default of anyone instalment, the petitioner will not have any right to seek enforcement of the sum of Rs.50,000/- on

account of interest and penal charges and will be liable to pay the entire sum of Rs.1.11 lakhs.

10. With the aforestated directions, the writ petition is disposed of.

11. There shall, however, be no order as to costs.

12. Since affidavits have not been called for, allegations contained in the petitioner are deemed to have been denied.

13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)