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WPA 22640 of 2025

Pintu Mondal
Vs.
Cholamandalam Investment and Finance Company
Limited & Ors.

Mr. Rohan Chamria
..... for the petitioner

Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh
Ms. Indrani Majumdar
..... for the respondents no. 1 & 2

1. Let affidavit-of-service, as filed in Court, be kept on record.
2. The petitioner is aggrieved by the acts of commission and/or omission of the financial institution.
3. Mr. Chamria, learned Advocate appearing for the petitioner, submits that the financial institution has proceeded to take possession or disturb the possession of the petitioner's residential property, which has not been mortgaged, situated at Dag No. 1, Khatian No. 2159, JI No.-64, Mouza-Jagatpur, Area-5 Satak (hereinafter referred to as the "Residential Property").
4. It is the mortgaged property to which the financial institution is entitled, as per financial institution's sanction letter, situated at RS & LR Dag No.-237, 238, 375, RS & LR Khatina No.-

4190, Mouza - Kendua, Area-5 Satak, P.S.-Matia,
Jl. No.-65.

5. Ms. Ghosh, learned Advocate appearing for the respondent no. 1, submits that the financial institution has not disturbed the possession of the petitioner at his residential premises and does not intend to take possession of any property which is not mortgaged with the financial institution.
6. The writ petition is disposed of recording such assurance of the financial institution.
7. There shall, however, be no order as to costs.
8. Since no affidavit has been called for, the allegations contained in the writ petition are deemed to be denied.
9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)