

D/L - 5
06.02.2025
Court. No. 5
S.Kundu

**C.O. 4502 of 2024
With
CAN 1 of 2025**

**Mr. Malay Gayen & Ors.
Vs.
Ujjivan Small Finance Bank & Ors.**

Mr. Chinmoy Pal,
Mr. Archan Dutta,
Ms. Megha Datta

...for the petitioners.

Mr. Harpal Singh,
Mr. Sanjay Kumar Shaw,
Ms. Anindita Das,
Mr. Subrota De

...for the opposite party nos. 1 and 2.

Mr. Debjit Mukherjee,
Ms. Priyanka Jana

...for the opposite party no. 4.

Mr. Gourav Das,
Ms. Snachiyta De

...for the opposite party nos. 5 and 6.

1. Affidavit of service filed in Court today is taken on record.
2. On 3rd January, 2025 the instant revisional application was admitted. Today, the matter has come up under the heading “Extension of Interim Order”.
3. The learned advocates appearing for the respective parties would submit that although when the revisional application was admitted the Debts Recovery Tribunal – III, Kolkata was not functioning, as of today, the Debts Recovery Tribunal – III, Kolkata is fully functional.

4. Mr. Singh enters appearance on behalf of the opposite party nos. 1 and 2.
5. Mr. Mukherjee, learned advocate enters appearance on behalf of the opposite party no. 4 through his junior Ms. Jana.
6. Mr. Singh would submit that in this case the petitioners were duly served with all relevant notices. He would also submit that since the Tribunal is at present fully functional, and since the petitioners had already applied before the Tribunal, this matter should not be retained on the file and this Court may permit the petitioners to approach the Tribunal.
7. Having heard the learned advocates appearing for the respective parties since the Debts Recovery Tribunal – III, Kolkata is at present functioning, without going into issue as to whether the petitioners were served with all relevant notices, no useful purpose would be served by keeping this application pending. I am of the view that it would be prudent at this stage to permit the petitioners to approach the Tribunal in the pending applications. However, since this Court had admitted the revisional application and the interim order was passed, let the interim order stand extended for a period of two weeks from date.
8. The petitioners shall be at liberty to approach the Tribunal in the pending applications.

9. With the above observations and directions, the revisional application stands disposed of.
10. There shall be no order as to costs.
11. All parties shall act on the basis of server copy of this order duly downloaded from this Court's official website.

(Raja Basu Chowdhury, J.)