

30.06.2025  
Item No.8  
Court No.01  
Arsad(AR(CR))

**In the High Court at Calcutta  
Circuit Bench at Jalpaiguri**

**MAT/44/2025  
IA NO: CAN/1/2025  
DINESH KUMAR AGARWAL AND ANR  
VS  
STATE OF WEST BENGAL AND ORS.**

Mr. Tapas Paul,  
Mr. Pritam Roy,  
Ms. Aparajita Rahu,  
Ms. Silip Basu,  
.....for the respondents  
Ms. Sagnika Banerjee, AOR.

It is submitted on behalf of the appellants upon instruction that they do not want to proceed with this appeal and seek liberty to withdraw the same.

The respondent Bank is represented and submits that the instant writ petition arises out of a proceeding which is pending before the Debt Recovery Tribunal, Siliguri.

It is also submitted on behalf of the respondent Bank that during the interregnum, they have taken the actual physical possession of the secured asset and the auction purchaser i.e. the third party whose rights have been created is in possession of the same.

In view of the above, MAT/44/2025 along with CAN/1/2025 stands dismissed as not pressed.

It is made clear that the respondent authorities including the Bank and the State are at liberty to act expeditiously in accordance with law.

**(RAVI KRISHAN KAPUR, J.)**

**(MD. SHABBAR RASHIDI, J.)**