

GAHC010026862024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/872/2024

ASSAM GRAMIN VIKASH BANK
A REGIONAL RURAL BANK UNDER THE REGIONAL RURAL BANKS, 1976,
REP. BY HOD RECOVERY, SRI UTPAL OJAH, AGED ABOUT 57 YEARS,
HAVING ITS HEAD OFFICE AT ADAMS PLAZA, G.S. ROAD, CHRISTIAN
BASTI, GUWAHATI- 781005, DIST.- KAMRUP (M), ASSAM.

VERSUS

THE STATE OF ASSAM AND 4 ORS.
THROUGH THE COMMISSIONER AND SECRETARY, HOME AND POLITICAL
DEPTT., DISPUR, ASSAM- 781006.

2:THE DEPUTY COMMISSIONER CUM MAGISTRATE
KAMRUP (M)
ASSAM- 788001.

3:THE COMMISSIONER OF POLICE
KAMRUP (M)
ASSAM- 788001.

4:M/S BHAGYASHREE GROUP
A PROPRIETORSHIP FIRM
REP. BY ITS PROPRIETOR SMT. BHAGYASHREE TALUKDAR

D/O SRI KAMAL TALUKDAR

R/O SWADESH NAGAR
KHANAPARA
P.S.- DISPUR
DIST.- KAMRUP (M)
ASSAM.

5:KAMAL TALUKDAR
S/O LALIT TALUKDAR

R/O SWADESH NAGAR
KHANAPARA
P.S.- DISPUR
DIST.- KAMRUP (M)
ASSAM

Advocate for the Petitioner : MR. A GANGULY

Advocate for the Respondent : GA, ASSAM

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

12.06.2024

Heard Mr. A Ganguly, learned counsel for the petitioner. Also heard Mr. A. Das, learned counsel for the respondents No. 4 & 5 and Mr. N. Goswami, learned counsel for the respondents No. 1 to 3.

This writ petition was essentially filed for issuance of a direction to the Deputy Commissioner, Kamrup (M) to pass an order under Section 14 of the SARFESI Act for taking over physical possession of the secured assets mortgaged by the respondents No. 4 & 5 with the petitioner/Bank and to take necessary steps to ensure that the secured assets are handed over to the authorized officer under Section 14 of the SARFESI Act.

Today when the matter is called up, Mr. A. Ganguly, learned counsel for the petitioner has placed before the Court copy of the order dated 12.03.2024 issued by the Addl. District Magistrate, Kamrup Metropolitan District, Guwahati whereby the District Magistrate has issued orders under Section 14 of the SARFESI Act for securing the assets of the respondents No. 4 & 5 and has authorized an Executive Magistrate of the Kamrup Metro to oversee the law and order during the process of

taking over possession of the assets by the authority of the Bank as described in the order itself. Copies of the order placed before the Court is kept in the case record.

Mr. A. Das, learned counsel for the respondents No. 4 & 5 has been served a copy of this order today in Court.

In view of such orders being passed now by the Addl. District Magistrate, Kamrup Metropolitan District, nothing further survives in the writ petition and the same is therefore disposed of in view of the order dated 12.03.2024 passed by the Addl. District Magistrate, Kamrup Metropolitan.

The writ petition is accordingly closed.

JUDGE

Comparing Assistant