

23.08.2021

Ct. No.13

Sl. No.112

pk/akd

W.P.A. 2197 of 2020 *[via video conference]*

[Gazi Enterprise -Vs- State Bank of India & Ors.]

Mr. Priyankar Saha,
Mr. Lalratan Mondal

... .. for the petitioner

Mr. Subrata Ghosh

... for the State Bank of India.

The writ petitioner is aggrieved by order dated 4th October, 2019 passed by the District Magistrate, North 24-Parganas. It is submitted that the writ petitioner had no loan transaction or any relationship whatsoever with the Syndicate Bank. It also appears from the said order that assistance under Section 14 of the SARFAESI Act was asked by the State Bank of India to take possession of certain secured assets.

Learned counsel for the State Bank of India submits that there has been a mistake in the order at the end of the office of the District Magistrate. A request for rectification and correction of the order has been made by the State Bank of India on 28th June, 2021. A copy of the order is retained with the records.

In that view of the matter the District Magistrate, North 24-Parganas shall immediately upon receipt of a copy of this order but not later than a period of ten days thereof correct the order dated 4th October, 2019 issued under Section 14 of the SARFAESI Act, 2002. The representative of the authorised officer may attend the office of the District Magistrate for the aforesaid purpose. Until such correction is effected, the order

under Section 14 of the SARFAESI Act passed by the District Magistrate shall not be given effect to.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)