

07.07.2021

Ct. No.13

Sl. No.84

pk/akd

W.P.A. 10908 of 2021 [via video conference]

[State Bank of India -Vs- The State of West Bengal & Ors.]

Mr. Piyush Kanti Ray

... .. for the petitioner

Mr. Biswabrata Basu Mullick

Mr. Sayan Ganguly

... .. for the State

Learned counsel appearing for the petitioner submits that despite directions of the District Magistrate, North 24-Parganas, Barrackpore Police have not provided sufficient force for the purpose of taking possession of the secured assets under Section 14 of the SARFAESI Act, 2002.

Learned counsel appearing for the State submits that it could not be ascertained as to whether petitioner-State Bank of India had paid the amount of Rs.12,369/- towards cost of such police force. It appears from the records that the amount was paid on 8th January, 2021 as per page 25 of the writ petition.

In those circumstances, the Barrackpore Police Commissionerate and/or particularly the Khardah Police Station shall within a period of one week from the date and upon prior intimation to the bank fix a date for taking possession of the secured assets.

This Court expects prompt action from the Barrackpore Police Commissionerate in future.

Let a copy of this order be sent to the Barrackpore Police Commissionerate by the learned counsel for the petitioner.

The aforesaid time limit specified is mandatory and shall be strictly complied with by the parties.

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

Report filed by the Commissioner of Police, Barrackpore Police Commissionerate dated 6th July, 2021 is taken on record.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)