

20
22.11.2021
Court. No.13
b.das

W.P.A. 17278 of 2021

**State Bank of India
Vs.
State of W.B. & Anr.**

Mr. Soumya Roy
Mr. Santosh Mahato

.....for the Petitioner.

Ms. Chaitali Bhattacharya
Mr. K. C. Kapas

...for the State.

The affidavit of service filed on behalf of the petitioner in court is taken on record.

This is a writ petition at the instance of the State Bank of India for obtaining a decision by the District Magistrate, Purba Burdwan, respondent No.2 in terms of Section 14 of the Securitisation & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 (hereinafter referred to as the said Act) since an application has been made by the bank authorities under Section 14 (1) of the said Act, which is remaining pending before the respondent No.2 till date, as it is submitted by Mr. Roy, learned Advocate representing the writ petitioner.

Ms. Chaitali Bhattacharya, learned Advocate appears on behalf of the State respondents including the respondent No.2 and submits that since an application

has been made in terms of Section 14 (1) of the said Act, necessary direction may be made upon the respondent No.2 to take steps for taking decision on such application dated 7th July, 2020, page 86 of the writ petition.

This Court has considered the submissions made on behalf of the parties to the writ petition. As it appears an innocuous prayer has been made on behalf of the writ petitioner for having a decision from the District Magistrate, Purba Burdwan in terms of the relevant provisions of Section 14 of the said Act this Court directs the District Magistrate, Purba Burdwan to pass an order in terms of Section 14 of the said Act within a period of three weeks from the date of communication of this order.

The District Magistrate is directed to communicate such decision to the petitioner bank within a period of one week thereafter.

Since no affidavits are called for, the allegations contained in the writ petition are deemed not to have been admitted.

Since this Court has not gone into the merits of the issue, all points are left open to be decided in terms of Section 14 of the said Act by the respondent No.2.

With the aforesaid directions WPA 17278 of 2021 is disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Saugata Bhattacharyya, J.)