

07.07.2022
Ct. 5
D/L 9
ab

WPA 11987 of 2022

Bank of Baroda & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Dipanjan Datta,
Ms. Sukanya Datta

... for the petitioners

Mr. Rama Prasad Sarkar,

... for the State

The affidavit of service is taken on record.

The only prayer of the petitioners is for a direction on the District Magistrate, Purba Medinipur to dispose of the application filed by the petitioners under Section 14 of the SARFAESI Act, 2002.

The records indicate that the application was filed on 18th January, 2022 along with the affidavit of the petitioners. Admittedly, the District Magistrate has not taken any steps in the application till date.

The District Magistrate, Purba Medinipur is represented.

Section 14 of the SARFAESI Act, 2002, empowers the District Magistrate or the Chief Metropolitan Magistrate within whose jurisdiction any secured assets or documents may be situated or found to take

possession of the same or to forward such assets to the secured creditor within 30 days from the date of the application- 1st proviso to Section 14 of the said Act. The said proviso records that after satisfaction of the contents of the affidavit, the District Magistrate shall pass suitable orders for the purpose of taking possession of the secured assets.

Since the District Magistrate has not taken any steps pursuant to the application, WPA 11987 of 2022 is disposed of with a direction on the District Magistrate, Purba Medinipur to dispose of the application filed by the petitioners on 18th January, 2022, within a period of four weeks from date.

(Moushumi Bhattacharya, J.)