

Ct. 05
Item No.17
02.12.2022
(Suvendu)

WPA 19886 of 2022

**State Bank of India & Anr.
Vs.
State of West Bengal & Ors.**

Mr. Debashis Saha
Mr. Moniruzzaman
.....for the petitioners

Mr. Raja Saha
Ms. Piyali Sengupta
.....for the State

Mr. J. Basu Roy
Ms. Sharmistha Mitra (Sinha)
.....for the respondent no.4

The petitioner seeks an order on the District Magistrate for expeditious disposal of an application made by the petitioner under Section 14 of the SARFAESI Act, 2002.

The respondents are represented.

Under the First Proviso to Section 14 of the SARFAESI Act, 2002, the District Magistrate after being satisfied of the contents of the Affidavit may pass suitable order within thirty days from the date of the application. The Second Proviso extends the time period to another thirty days upon the District Magistrate recording the reasons

in writing for not passing the order within thirty days under the First Proviso.

Since the application was made on 16th July, 2020 and the time period provided has long passed, WPA 19886 of 2022 is disposed of by giving liberty to the petitioner to make a fresh application before the District Magistrate. Since several representations and reminders of the petitioner are on record and the District Magistrate has not taken any steps within the stipulated time, the District Magistrate is directed to make appropriate orders on the application of the petitioner within four weeks from the date on which the application is received by the District Magistrate.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)