

10.11.2022
Court No.13
Item No.46
AP

WPA 23567 of 2022
With
IA NO: CAN 1 of 2022

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

Mr. Pijush Kanti Ray
Mr. Soujanya Bandyopadhyay
... For the Petitioner.

Mr. Md. Mansoor Alam
... For the State.

Affidavit of service filed in Court today is taken on record.

The petitioner has obtained an order of the Additional District Magistrate, Murshidabad under Section 14 of the SARFAESI Act 2002 to obtain physical possession of a secured asset on 25th January 2018. The order was initially interfered with by the Debts Recovery Tribunal, but the same was vacated subsequently in November 2018.

Counsel for the State submits that formal request was never made for assistance of the police to deliver physical possession of the secured asset.

Counsel for the Bank denies the same.

In view of the above, the Superintendent of Police, Berhampore shall communicate to the petitioner the cost for deploying police force for taking possession of the secured asset within a period of one week from date.

Upon receipt of cost, possession of the secured assets shall be delivered to the bank on 23rd November 2022.

With the aforesaid directions, the writ petition along with connection applications shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)