

25.01.2023
Ct. 5
D/L 10
ab

WPA 191 of 2023

**Asset Reconstruction Company (India) Limited &
Anr.**

-Vs-

The State of West Bengal & Ors.

Mr. Avishek Guha,
Ms. Akansha Chopra

... for the petitioners

Ms. Sutapa Sanyal,
Mr. Anand Farmania

... for the State

Mr. Deepnath Roy,
Mr. Dhiman Ray,
Mr. Dip Chanda

... for the respondent nos. 3 to 5/private respondents

The petitioners pray for a direction on the District Magistrate, Purba Medinipur to dispose of the application made by the petitioners under Section 14 of the SARFAESI Act, 2002. The application was made on 7th October, 2021 and the District Magistrate has not taken any steps with regard to the said application till date. This is an admitted fact, which has been urged by the parties before the Court.

The private respondents, represented by counsel, seek to make certain points which are not relevant at this stage.

WPA 191 of 2023 is accordingly disposed of with a direction on the District Magistrate, Purba Medinipur/respondent no. 2 to consider the application made by the petitioners on 7th October, 2021 and dispose of the same within 17th February, 2023. It may be noted that the 2nd Proviso to Section 14(1)(b)(ix) of the Act provides for a maximum period of 60 days within which the District Magistrate must pass suitable orders on the affidavit of the secured creditor.

(Moushumi Bhattacharya, J.)