

13.03.2023
sayandeep
Sl. No. 29
Ct. No. 05

WPA 873 of 2023

Kotak Mahindra Bank Limited
-Versus-
The State of West Bengal & Ors.

Mr. Sourojit Dasgupta
Mr. A.K. Singh

.....for the petitioner

Mr. Manas Kundu
Mr. Debabrata Mondal

.....for the State

Mr. Rohan Raj

.....for the respondent Nos. 3-5

This is an application filed by the petitioner/secured creditor for a direction on the District Magistrate for passing an order under Section 14 of the SARFAESI Act, 2002. According to learned counsel, the application/affidavit was made on 27th May, 2022 but the District Magistrate has failed to take any steps pursuant to the same.

Section 14(1)(ix) first and second provisos gives 30 and 60 days respectively for disposing of an application. There is no explanation as to why the District Magistrate has failed to take any steps in the matter. The bunch of documents placed before the Court by learned counsel appearing for the State does not answer the fact of non-compliance with the relevant sections of the 2002 Act.

WPA 873 of 2023 is disposed of with a direction on the District Magistrate/respondent No. 2 to dispose of the application filed under Section 14 of the 2002 Act within three weeks from today.

(Moushumi Bhattacharya, J.)