

D/L. 7.
June 13, 2023.
MNS.

WPA No. 1732 of 2023

State Bank of India
Vs.
State of West Bengal and others

Mr. Pijush Kanti Ray,
Mr. Soujanya Bandyopadhyay

... for the petitioner.

Despite service, none appears for the respondents.

The further affidavit-of-service filed today in court be kept on record.

The grievance of the petitioner is that the District Magistrate concerned, despite the statutory period having elapsed long back and in view of about a year having passed since the application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short “the 2002 Act”) was filed by the petitioner-bank, the same has been kept pending by the District Magistrate.

In view of the nature of the prayer made, no further service of notice on the respondents is deemed necessary.

Further, from the annexures to the supplementary affidavit filed by the petitioner, it is seen that the petitioner has already affirmed an affidavit indicating that there is no stay order subsisting against the petitioner in the proceeding pending before the Debts Recovery Tribunal-III at Kolkata.

In such view of the matter, WPA No. 1732 of 2023 is disposed of by directing the respondent no.2, that is, the District Magistrate, North 24 Parganas to dispose of the proceeding pending under Section 14 of the 2002 Act at the behest of the petitioner-bank before the Magistrate against the private respondent as expeditiously as possible, positively within four weeks from the date of communication of this order to the District Magistrate.

All concerned shall act on the server copy of this order, without insisting upon prior production of a certified copy thereof for the purpose of compliance.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)