

AD-12
Ct No.09
18.10.2023
TN

WPA No. 3639 of 2023

PNB Housing Finance Limited and another
Vs.
State of West Bengal and others

Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh

.... for the petitioners

Mr. Sk. Md. Galib,
Ms. Jyotsna Roy Mukherjee

.... for the State

- 1.** Learned counsel for the petitioners contends that no challenge under Section 17 of the SARFAESI Act, 2002 has been preferred by the borrower. The grievance of the petitioner no.1/financial company is that the application of the said company under Section 14 of the said Act has been kept pending beyond the statutory outer limit.
- 2.** There is substance in such contention.
- 3.** Since none appears, despite service, for the borrower, the affidavit-of-service is kept on record and the matter is taken up for disposal.
- 4.** In the light of the above observations, WPA No. 3639 of 2023 is disposed of by directing the respondent no.2, that is, the District Magistrate at Barasat to dispose of the petitioner's

application under Section 14 of the SARFAESI Act, 2002 at the earliest, positively within November 30, 2023.

- 5.** There will be no order as to costs.
- 6.** 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.)