

25th September,
2023
(AK)
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W.P.A 13477 of 2021

HDFC Bank Ltd.
Vs.
The State of West Bengal and Others

Ms. Soni Ojha
..... for the petitioner.

Mr. Maloy Krishna Dey
Mr. Tapas Ballav Mandal
...for the State.

1. Affidavit-of-service filed in court today be kept on record.
2. Learned counsel for the petitioner-Bank submits that there is no encumbrance on going ahead with the proceeding under Section 14 of the SARFAESI Act.
3. It is further submitted on instruction that the borrower has not taken out any challenge before the Debts Recovery Tribunal in connection with the proceeding.
4. It is argued that the Bank's application under Section 14 of the said Act is pending for an inordinately long period, despite the statutes stipulating sixty days as the outer limit thereof.
5. Heard learned counsel for the petitioner and the State.
6. The petitioner is justified in arguing that the matter could not have been kept pending for so long as per law.

7. Accordingly, WPA 13477 of 2021 is disposed of by directing the concerned District Magistrate, that is, respondent no.2, the District Magistrate, Paschim Medinipur, to dispose of the pending application of the petitioner-Bank under Section 14 of the SARFAESI Act, against the private respondents, as expeditiously as possible, positively within three weeks from the date of communication of this order to the respondent no.2.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)