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20.11.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 13539 of 2021

HDFC Bank Ltd.
Vs.
The State of West Bengal & Ors.

Ms. Soni Ojha
...for the petitioner

1. Learned counsel appearing for the petitioner-Bank submits that to the best of the petitioner's knowledge, no proceeding has been preferred before the Debts Recovery Tribunal at any point of time by the private respondent/borrower. The petitioner's application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) is pending inordinately, beyond the outer statutory limit.

2. Affidavit-of-service filed in Court today be kept on record. None appears on behalf of the respondents at the time of call. As such, the matter is taken up for ex parte hearing.

3. W.P.A. No. 13539 of 2021 is disposed of by directing the respondent no. 2, that is, the District Magistrate, Paschim Medinipur to dispose of the petitioner/bank's application under Section 14 of the SARFAESI Act pending against the private

respondents as expeditiously as possible, positively within December 08, 2023.

4. All parties shall act on the server copy of this order for compliance.

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 of all necessary formalities.

Sabyasachi Bhattacharyya, J.