

07  
27.06.2023  
mb

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

W.P.A. No. 14166 of 2023

IFCI Limited  
Vs.  
The District Magistrate, Barasat,  
North 24-Parganas & Ors.

Mr. Zeeshan Haque,  
Mr. Suprito Gole,  
Ms. Madhuja Barman  
...for the petitioner

Affidavit-of-service filed in Court today be kept  
on record.

Apart from the respondent no. 3, the service  
on all the other respondents have been duly  
effected. Since substantial service on the  
borrowers as well as the District Magistrate at  
Barasat, North 24-parganas has been effected, the  
matter is taken up for hearing *ex parte* in the  
absence of the respondents.

The grievance of the petitioner is innocuous,  
to the effect that despite the petitioner having  
applied under Section 14 of the Securitisation and  
Reconstruction of Financial Assets and  
Enforcement of Security Interest Act, 2002 about a  
year back and the same having been received by  
the concerned receiving clerk of the office of the

District Magistrate at Barasat, District-North 24-Parganas, on March 25, 2022, in contravention of the provisions of Section 14 of the 2002 Act, the District Magistrate has not been fixing long dates for hearing of the same.

Hence, W.P.A. No. 14166 of 2023 is allowed, thereby directing the respondent no. 1, that is, the District Magistrate at Barasat, District-24-Parganas to immediately fix a date for hearing of the application filed by the petitioner under Section 14 of the 2002 Act against the respondent-borrowers. Such date shall be fixed within a week from the date of communication of this order to the respondent no. 1 by the petitioner. The respondent no. 1 shall endeavour to dispose of the matter within one month thereafter.

It is made clear that the above direction is peremptory and mandatory.

The petitioner shall serve a server copy of this order on the respondent no. 1 to ensure compliance.

The respondent no. 1 and all concerned shall act on server copies of this order, coupled with written communication by the learned advocate for the petitioner, for due compliance of the order, without insisting upon prior production of a certified copy thereof.

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 of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)