

AD-15
Ct No.09
06.10.2023
TN

WPA No. 18865 of 2023

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

Mr. Pijush Kanti Ray,
Mr. Sourajit Mukherjee

.... for the petitioner

Mr. Sk. Md. Galib,
Mr. Abu Siddique Mallik

.... for the State

- 1.** Affidavit-of-service filed today be kept on record.
- 2.** Despite service, none appears for the borrowers at the time of call, although the petitioner and the State are represented through counsel.
- 3.** The petitioner-Bank's grievance is that its application under Section 14 of the SARFAESI Act, 2002 is pending for an inordinately long period.
- 4.** The petitioner-Bank has categorically pleaded in the writ petition that there is no stay against the Bank in the pending proceeding under Section 17 of the SARFAESI Act, 2002 preferred by the borrowers.
- 5.** In such view of the matter, there cannot be any impediment to the Bank's application under

Section 14 of the SARFAESI Act, 2002 being disposed of expeditiously.

- 6.** Accordingly, WPA No. 18865 of 2023 is disposed of by directing the District Magistrate, Hooghly, that is, the respondent no.2 herein to dispose of the petitioner's application under Section 14 of the SARFAESI Act, 2002 as expeditiously as possible, positively by November 24, 2023.
- 7.** The Bank shall communicate this order immediately to the respondents-borrowers to enable the respondents-borrowers to take appropriate steps in the meantime, if the borrowers so choose, before the Tribunal.
- 8.** There will be no order as to costs.
- 9.** 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.)