

AD-17  
Ct No.09  
22.08.2023  
TN

WPA No. 20545 of 2022

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

Mr. Pijush Kanti Ray,  
Mr. Sourajit Mukherjee

.... for the petitioner

The innocuous prayer made in the writ petition is for early disposal of an application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 (hereinafter referred to as “the SARFAESI Act, 2002”).

Despite service, none appears for the respondents at the time of call. Affidavit-of-service filed in court today be kept on record.

On query of court and upon instruction, learned counsel for the petitioner-Bank submits that there is no subsisting restraint order debarring the Magistrate from deciding the application under Section 14 as of today.

Since the petitioner is justified in submitting that the application of the petitioner-Bank is pending for quite a long time, much longer than the statutory outer limit of sixty days, WPA No. 20545 of 2022 is

allowed, thereby directing the respondent no. 2, that is, the District Magistrate, District: North 24 Parganas to dispose of the application under Section 14 of the SARFAESI Act, 2002 pending at the behest of the Bank against the private respondents at the earliest, positively within three weeks from the date of communication of this order to the respondent no. 2.

The parties shall act on a server copy of this order, without insisting upon prior production of a certified copy.

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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)