

AD-19
Ct No.09
06.10.2023
TN

WPA No. 20843 of 2023

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

Mr. Pijush Kanti Ray,
Mr. Sourajit Mukherjee
.... for the petitioner

Mr. Somnath Ganguli,
Mr. Priyamvada Singh
.... for the State

Mr. Subrata Bhattacharyya,
Mr. I. Dutta,
Ms. S. Santra
....for the respondent no.6

1. Affidavit-of-service filed today be kept on record.
2. Despite no application under Section 17 of the SARFAESI Act, 2002 having been preferred by the borrower, as specifically asserted by the petitioner-Bank in its writ petition, the application of the Bank under Section 14 of the SARFAESI Act, 2002 has been kept pending inordinately, *de hors* the provisions of the statute.
3. Accordingly, WPA No. 20843 of 2023 is disposed of by directing the respondent no.2 herein, that is, the District Magistrate, Purba Bardhaman to dispose of the petitioner-Bank's application

under Section 14 of the SARFAESI Act, 2002 as expeditiously as possible, positively within November 17, 2023.

- 4.** Nothing in this order, however, shall preclude the Bank from considering the private respondent's proposal for compromise in the meantime.
- 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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)