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13.12.2023
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 23856 of 2023

Canara Bank & Anr.
Vs.
The State of West Bengal & Ors.

Ms. Jayita Roy,
Mr. Subhas Chandra Sarkar,
Mr. Siddhartha Sankar Roy
...for the petitioners

Mr. Sk. Md. Galib
...for the State

1. Affidavit-of-service filed in Court today be kept on record.
2. It transpires that a copy of the writ petition was sent at the correct address of the private respondent/borrower on October 04, 2023 and more than two months have elapsed thereafter. As such, there is presumption of good service.
3. It is contended by learned counsel for the bank that the application of the Bank under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 has been kept inordinately pending much beyond the statutory outer limit. An early disposal of the same is prayed.

4. In view of the innocuous nature of the prayer, further service of notice on the private respondent is not being directed.

5. W.P.A. No. 23856 of 2023 is disposed of by directing the respondent no. 2, that is, the District Magistrate, South 24-Parganas to dispose of the pending application of the petitioner/Bank under Section 14 of the 2002 Act, as expeditiously as possible, positively within January 10, 2024.

6. There will be no order as to costs.

7. 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.)