

AD-30
Ct No.09
11.03.2024
TN

WPA No. 3601 of 2024

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

Mr. Piyush Kanti Roy,
Mr. Sourajit Mukherjee

.... for the petitioner

Mr. Abu Siddique Mallik

.... for the State

- 1.** Learned counsel for the petitioner-Bank contends that the petitioner-Bank's application under Section 14 of the SARFAESI Act, 2002 has been kept pending inordinately beyond the outer statutory limit. It is submitted that there is no pending challenge under Section 17 of the SARFAESI Act, 2002 and/or any interim order to restrain the said application being disposed of.
- 2.** Learned counsel for the State hands over a report indicating that certain documents are required to be produced by the petitioner, for dearth of which the application cannot be disposed of.
- 3.** It transpires from the annexures to the writ petition that an affidavit has been filed in due compliance of Section 14 by the petitioner before the Magistrate. As such, the requirements of the Magistrate as indicated in the report are mostly superfluous.

- 4.** Accordingly, WPA No. 3601 of 2024 is disposed of by directing the respondent no.2, that is, the District Magistrate, Hooghly to dispose of the application under Section 14 of the SARFAESI Act, 2002 pending at the behest of the petitioner at the earliest, preferably within three weeks from date.
- 5.** While doing so, the District Magistrate shall act within the confines of Section 14 and not insist upon production of any extraneous documents than strictly required under the said provision of law.
- 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 with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)