

28th March,
2024
(AK)
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W.P.A 6327 of 2024

Indian Overseas Bank and another
Vs.
State of West Bengal and others

Ms. Amrita Pandey
Ms. Sangita Mishra

...for the petitioners.

Mr. Biswabrata Basu Mallick
Mr. Ratul Biswas

...for the State respondents.

1. Affidavit-of-service filed in court today be kept on record.
2. Although one of the borrowers-respondents have not been served properly, the other has been.
3. In any event, the nature of the prayers made in the writ petition does not demand an adjudication of the respective rights of the petitioners and the private respondents.
4. The petitioner no.1-Bank seeks implementation of the law inasmuch as the application of the petitioner no.1-Bank under Section 14 of the SARFAESI Act, 2002 has been kept pending by the concerned District Magistrate beyond the outer statutory limit.

5. Upon hearing learned counsel for the petitioners and the State, it transpires that there is substance in such contention of the petitioners.
6. Accordingly, WPA 6327 of 2024 is allowed, thereby directing the respondent no.2, that is, the District Magistrate, North 24 Parganas to dispose of the application filed by the petitioner no.1 under Section 14 of the SARFAESI Act, 2002 as expeditiously as possible, positively within three weeks from the date of communication of this order to the respondent no.2.
7. There will be no order as to costs.
8. Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)