

D/L.27.
April 30, 2024.
MNS.

WPA No. 11055 of 2024

Canara Bank and another
Vs.
The State of West Bengal and others

Mr. Rishav Roy,
Mr. Subhas Chandra Sarkar,
Mrs. Jayita Roy

... for the petitioners.

Mr. D. B. Roy,
Ms. Shreya Basu

...for the respondent nos. 3 to 6.

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioners contends that the petitioners took out an application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), which has not been decided despite the statutory period having elapsed.
3. Learned counsel for the private respondents submits that the application of the private respondents under Section 17 of the SARFAESI Act was dismissed for non-prosecution and not on merits.
4. Be that as it may, the District Magistrate taking up an application under Section 14 of

the SARFAESI Act does have adjudicating powers, which proposition is quite well-settled.

5. As such, WPA No. 11055 of 2024 is allowed on contest directing the respondent no. 2, the District Magistrate, Hooghly, to dispose of the pending application of the petitioners under Section 14 of the SARFAESI Act as expeditiously as possible, positively within four weeks from date.
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.)