

D/L.5.  
April 4, 2024.  
MNS.

WPA No. 10572 of 2023

PNB Housing Finance Limited and another  
Vs.  
State of West Bengal and others

Mr. Pratip Mukherjee,  
Mr. Sayak Ranjan Ganguly,  
Ms. Srijani Ghosh,  
Ms. Indrani Majumdar

... for the petitioners.

Mr. Tapan Kumar Mukherjee,  
Ms. Debdooti Dutta

...for the State.

1. The present writ petition has been filed by the petitioners/Financial Institution alleging inordinate delay in disposing of the application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) filed as long back as on September 6, 2021.
2. Despite service, none appears for the private respondent, although the State is represented through counsel.
3. It transpires from the averments in the writ petition and the submissions of learned counsel for the petitioners that there is no subsisting application under Section 17 of the SARFAESI Act which is pertinent to the matter at hand and/or any interim order restraining

the District Magistrate from deciding the application under Section 14 of the SARFAESI Act.

4. Although it is somewhat surprising as to what prevented the District Magistrate from disposing of the application much earlier, adhering to the statutory outer limit, the ends of justice would be sub-served if such a direction is now given to the District Magistrate.
5. Accordingly, WPA No. 10572 of 2023 is disposed of by directing the respondent no. 2, that is, the District Magistrate, Nadia, to dispose of the application of the petitioners under Section 14 of the SARFAESI Act immediately, positively within three weeks from the date of communication of this order to the respondent no. 2.
6. The parties shall act on the server copy of this order, without insisting upon prior production of certified copy thereof, for the purpose of compliance.
7. There will be no order as to costs.
8. 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.)