

04.07.2024  
Sl. No.16(DL)  
srm

**W.P.A. No. 15833 of 2024**

**Edelweiss Asset Reconstruction Company Limited**

**Versus**

**The State of West Bengal & Ors.**

Ms. S. B. Chatterjee

...for the Petitioner.

Mr. Priyankar Saha,  
Ms. Srijani Mukherjee

...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner is the secured creditor. An order was passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 at the instance of the petitioner.

It is alleged that Mr. Ranjan Kumar Paul, W.B.C.S. (Exc.), Dy, Magistrate & Dy. Collector, Howrah, was the authorised officer to take possession of the secured assets. Till date, the possession has not been taken.

This Court does not find that the petitioner had ever approached either the District Magistrate or the concerned officer authorised to take possession.

Liberty is granted to the petitioner to approach the appropriate authority for immediate steps and if such approach

is made by the petitioner, the authority shall act and proceed in accordance with law within a period of two weeks from the date of communication of this order in the matter of handing over possession to the bank, upon verifying whether the order passed by the District Magistrate has been either stayed or set aside by a competent forum or not.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**