

12.09.2024
Sl. No.353(ML)
srm

W.P.A. No. 19935 of 2024
State Bank of India & Anr.
Versus
The State of West Bengal & Ors.

Mr. Debasis Saha,
Mr. Hemraj Adhikary,
Ms. Sucheta Pal,
Mr. Avirup Roy Sanyal
...for the Petitioners.

Ms. Jhuma Chakraborty,
Ms. Arpita Mondal
...for the State-respondents.

Affidavit-of-service is taken on record.

The writ petition has been filed by the secured creditor, i.e. the State Bank of India and its officer. It is prayed that the order of the District Magistrate, North 24-Parganas under Section 14 of the SARFAESI Act has been passed. The authorised officer who has been directed to take possession of the secured asset has since retired.

Under such circumstances, the writ petition is disposed of with a direction upon the District Magistrate, North 24-Parganas to consider the representation and request of the petitioner to direct the present Executive Magistrate/Sub-Divisional Officer, Bidhannagar to fix up a date for handing over possession. Such order shall be passed by the District

Magistrate upon considering the representation of the petitioners within a month from the date of communication of this order and depute the officer, who will execute the order of the District Magistrate by handing over possession to the bank.

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.)