

Item No.19
12.09.2024
Court. No. 9
GB

W.P.A. 22436 of 2024

State Bank of India & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Debasis Saha,
Ms. Sucheta Pal,
Mr. Avirup Roy Sanyal,
Mr. Hemraj Adhikari

...for the Petitioners.

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee

...for the State

Mr. Agniswar Bhuinya

...for the Respondent Nos.5 to 7.

Affidavit-of-service filed in Court today, is taken on record.

The prayer of the petitioners is innocuous and no mandatory direction, which will adversely affect the parties, is passed.

The State Bank of India has approached this Court for a direction upon the District Magistrate, Birbhum to take steps on the basis of the application filed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. It is submitted that the said application is pending since long.

Without going into the merits, the writ petition is disposed of with a direction upon the District Magistrate, Birbhum to dispose of the application under Section 14 of the SARFAESI Act filed by the bank, within a period of two months from the date of communication of this order, if not already disposed of, upon ensuring that the application by the bank satisfies the legal requirements.

Accordingly, the writ petition is disposed of.

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

This order will not preclude any of the parties, aggrieved by the order that may be passed by the concerned District Magistrate, from taking any steps in accordance with law.

(Shampa Sarkar, J.)