

03.10.2024
Sl. No.35(DL)
srm

W.P.A. No. 23136 of 2024
Tata Capital Housing Finance Limited & Anr.
Versus
State of West Bengal & Ors.

Mr. Sayak Ranjan Ganguly,
Ms. Srijani Ghosh,
Ms. Indrani Majumdar
...for the Petitioners.

Mr. Biswabrata Basu Mallick, Id. AGP
Mr. Biman Halder
...for the State-respondents.

Mr. Tapan Dutta Gupta,
Ms. Parvej Alam,
Ms. Rituparna Ghosh,
Mr. Sourav Sardar
...for the respondent No.4.

Affidavit-of-service filed in Court today, is taken on record. The respondent No.4 is not before this Court, despite service.

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

The Tata Capital Housing Finance Limited has approached this Court for a direction upon the District Magistrate, South 24-Parganas 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, South 24-Parganas 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 step in accordance with law.

(Shampa Sarkar, J.)