

D/L.76.
October 3, 2024.
MNS.

WPA No. 23306 of 2024

State Bank of India and another
Vs.
The State of West Bengal and others

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

... for the petitioners.

Mr. Vimal Kumar Shahi,
Ms. Sangeeta Roy

...for the State.

Affidavit-of-service filed by the petitioners is taken on record. The learned Advocate appearing for the petitioners submits that the private respondents have been duly served. Despite notice, none appears for the private respondents.

State Bank of India and its Authorised Officer have filed this writ petition alleging that the police authorities have not rendered necessary assistance to the petitioner no. 1- State Bank of India for taking over possession of the secured asset from the private respondents pursuant to an order passed on January 4, 2017 under Section 14 of the SARFAESI Act, 2002 by the District Magistrate, North 24 Parganas.

The learned Advocate appearing for the State files a report of the Reserved Inspector of

Police dated September 17, 2024, which is taken on record. It has been stated in the said report that on account of increase of the Dearness Allowance, the police costs have been modified at Rs.32,857/- and the petitioner is required to deposit the balance sum of Rs. 17,606/- as police costs for execution of the order dated January 4, 2017 of the District Magistrate, North 24 Parganas.

The learned Advocate appearing for the petitioners submits that no intimation in that regard was given to the petitioners.

However, since the State has now in its report dated September 17, 2024 have assessed the police costs, the petitioners are directed to deposit the balance police costs as stated hereinbefore.

If the said balance amount is deposited, the police authorities are directed to execute the order of the District Magistrate, North 24 Parganas, dated January 4, 2017 as expeditiously as possible, but positively within a period of two weeks from the date of deposit of such balance police costs.

With the aforesaid observations and directions, the writ petition stands disposed of.

There will be no order as to costs.

Photostat certified copy, if applied for, be
given to the parties.

(Hiranmay Bhattacharyya, J.)