

WPA 26814 of 2023

Union Bank of India

-vs-

The State of West Bengal & ors.

Ms. Sreemoyee Mitra

...for the Union Bank of India

Mr. Wasim Ahmed

Mr. Sk. Md. Masud

...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondent.

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondent had taken loan from the petitioner bank and defaulted in making payments. The bank moved an appropriate application under the SARFAESI Act and an order was passed by the District Magistrate on 01.10.2021 directing the taking of possession of the secured assets. Accordingly, the police authorities were intimated and police cost was also submitted. Yet, no police help was rendered.

Learned counsel appearing on behalf of the State relies on the report which is taken on record and submits that due to maximum deployment of Officers and personnel of the Baruipur Police Station in connection with the Panchayat

Election, 2023 and various other cases, police help could not be rendered for the particular date i.e., 29.09.2022. However, the police authorities are in a position to render necessary help for taking possession of the secured assets.

It appears that an order has already been passed for taking possession of the secured assets by the District Magistrate under the SARFAESI Act. Police cost have also been deposited.

In view of the above, let the petitioner intimate the date on which the intend to take possession of the secured assets to the respondent police authorities.

Thereafter, the police authorities will render adequate police help for the bank to take possession of his secured assets.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)