

23
18.01.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 28766 of 2023

Bank of Baroda & Anr.
Vs.
State of West Bengal & Ors.

Mr. Anirban Pramanick,
Mr. Punarbasu Nath
...for the petitioners

Ms. Jhuma Chakraborty,
Mr. Parikshit Goswami
...for the State

1. Affidavit-of-service filed in Court today be kept on record.
2. The grievance of the petitioners is that an application filed by the petitioners under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest) Act, 2002 has been kept pending inordinately by the District Magistrate, Paschim Burdwan. It is submitted on instruction that there is no impediment or application pending under Section 17 of the 2002 Act to prevent the District Magistrate from disposing of the said application.
3. Learned counsel for the State points out that the Additional District Magistrate concerned had asked the authorised officers of the Bank to be present on January 16, 2024 with relevant papers

to ascertain the strength of the police assistance required. Hence, there is no further impediment to dispose of the application under Section 14 of the 2002 Act by appropriate order.

4. Considering the submissions of the parties, W.P.A. No. 28766 of 2023 is disposed of by directing the Respondent no. 2, that is, the District Magistrate, Paschim Burdwan, to dispose of the application under Section 14 of the 2002 Act pending at the behest of the petitioners within a fortnight from date, subject to the petitioners having complied with all due formalities under the said provisions.

5. There will be no order as to costs.

6. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)