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

W.P.A. No. 28814 of 2023

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

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

Mr. Suman Ghosh,
Ms. Munmun Tewari
...for the State

1. Affidavit-of-service filed in Court today be kept on record.
2. Learned counsel for the petitioners submits that the petitioners' application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 has been kept pending inordinately. It is also submitted on instruction that there is no impediment in disposing of the said application.
3. Learned counsel appearing for the State hands over a written instruction and submits that for abundant caution notices were sought to be given to the borrowers, but those came back unserved.
4. However, within the contemplation of Section 14 of the 2002 Act, there is no scope of service of further notice to the borrowers. The District

Magistrate has the sole charter to implement the order in question by disposing of the application under Section 14 of the 2002 Act, of course, subject to compliance of due formalities by the petitioners.

5. Accordingly, W.P.A. No. 28814 of 2023 is disposed of by directing the respondent no. 2, that is, the District Magistrate, Purulia to dispose of the petitioners' application under Section 14 of the 2002 Act within three weeks from date positively, subject to the petitioners having complied with all due formalities under the said provision of law.

6. There will be no order as to costs.

7. 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.)