

OD 8

WPO/11/2024
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

KOTAK MAHINDRA BANK LIMITED
VS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: 18th January, 2024.

Appearance:
Mr. Avinash Kankani, Adv.
...for the petitioner

The Court: The petitioner-bank submits that the petitioner's application under Section 14 of the SARFAESI Act, 2002 has been kept pending beyond the statutory outer limit. The said application was filed on September 21, 2023 as a miscellaneous case. On October 12, 2023 it was expressed by the concerned Chief Metropolitan Magistrate that it will be taken up on the administrative side of the said Court. Subsequently, the matter was adjourned on November 22, 2023 as well as on January 17, 2024.

Learned counsel, on instruction, further submits that there is no pending proceeding under Section 17 of the SARFAESI Act or any impediment for the Magistrate to dispose of the application.

Accordingly, WPO/11/2024 is disposed of by directing the respondent no.2, the Chief Metropolitan Magistrate, Kolkata to dispose of the petitioner's application under Section 14 of the SARFAESI Act within three weeks from the date of communication of this order to the respondent no.2 positively by acting on the server copy of this order coupled with the written communication by the learned advocate for the petitioner.

No order as to costs.

Urgent certified website copy of this order, if applied for, be made available to the parties subject to compliance with the requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)