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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/217/2024

Cholamandalam Investment and Finance Co. Ltd.
VS
The State of West Bengal And Ors.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date : 1st April, 2024.

Appearance:
Mr. Soumajit Majumder, Adv.
Mr. R. Kumar, Adv.
... for the petitioner.

Ms. Tuli Sinha, Adv.
... for the State.

The Court : The grievance of the petitioner/financial institution is that despite the petitioner having taken out an application under Section 14 of the SARFAESI Act since long, the concerned District Magistrate is not disposing of the same, thereby exceeding the statutory outer time limit.

Learned Counsel for the petitioner submits on instruction that there is no subsisting stay and/or injunction preventing the District Magistrate from deciding the said application.

Despite service, none appears for the private respondent, although the State is represented through Counsel. Affidavit-of-service filed today be kept on record. Since the private respondent/borrower chooses not to appear despite service, the matter is taken up ex parte for hearing.

In view of the above facts, WPO/217/2024 is disposed of by directing respondent no.2, the District Magistrate, North 24 Parganas to dispose of the pending application under Section 14 of the SARFAESI Act, 2002 at the

behest of the petitioner as expeditiously as possible, positively within four weeks from the date of communication of this order to the respondent no.2.

All parties shall act on the server copy of this order for the purpose of compliance.

(SABYASACHI BHATTACHARYYA, J.)

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