

02.12.2025.
31
Ct.No.24.
as

WPA 14863 of 2025

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

Mr. Sankar Biswas,
Mr. Debnath Mahata,
Mr. Swastik Saha,
Ms. Ananya Adhikary.
...for the Petitioner.

1. The Bank seeks execution of an order passed by the respondent No.2 on July 2, 2024 under Section 14 of the Securitization and Reconstruction of the Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the SARFAESI Act).
2. In spite of the order passed by the respondent No.2 as well as tendering the charges for execution of the order, the said order has not yet been executed.
3. The petitioner further submits that the post of the concerned Executive Magistrate had remained vacant, on account whereof, the order could not be executed.
4. In spite of the prayer made by the petitioner on February 27, 2025, for change of personnel of the Executive Magistrate to facilitate physical possession being handed over to the petitioner, no step has been taken.
5. The respondent No.2 is directed to immediately appoint an authorized officer, whether the Executive

Magistrate or some other personnel, who is fit and capable of executing the order of July 2, 2024 within a period of six weeks from date.

6. Accordingly, the writ petition is disposed of.
7. There shall, however, be no order as to costs.
8. Urgent photostat certified copy of this order, if applied for, be given to the petitioner on usual undertaking.

(Reetobroto Kumar Mitra, J.)