

19.11.2025
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WPA 18117 of 2025
with
CAN 1 of 2025

The Authorised Officer, Indian Bank, SAM Large
Branch

Vs.

The State of West Bengal & Anr.

Ms. Debjani Ghosal

.... for the petitioner

Ms. Tapati Samanta

.... for the State

In Re : CAN 1 of 2025

1. This is an application for recalling of the order of dismissal dated October 24, 2025. Sufficient grounds have been shown to recall the order of dismissal of October 24, 2025.
2. The order is recalled and the matter being WPA 18117 of 2025 is restored to its original file and number.
3. The application being CAN 1 of 2025 is, thus, disposed of.

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4. Affidavit-of-service as filed in Court is kept on record.
5. The writ petition has been filed seeking a direction on the respondent no. 2, to dispose of the application 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"), which has been filed sometime in February, 2024, expeditiously.

6.The said application has been kept pending for more than 1½ years, without any steps being taken thereon.

7.Ms. Samanata, learned Advocate appearing for the respondents, submits an instruction of August 25, 2025. From the instruction, it appears that the respondent no. 2 had sought for certain documents to ascertain whether the legal heirs of the deceased borrower had been put on notice.

8.Let such copy of the instruction be kept on record.

9.Since the respondent no. 2 had directed the petitioner/Bank to submit the requisite documents in respect thereof, the Bank will be at liberty to submit requisite documents or decisions, if it wishes to rely upon, before the District Magistrate at the time of hearing.

10.Respondent no. 2/ District Magistrate, Paschim Bardhaman, is directed to take up the said application and dispose of the same within a period of three weeks from the date of communication of this order by the petitioner.

11.The writ petition is, thus, disposed of with the aforestated directions.

12. There shall, however, be no order as to costs.

13. Since no affidavit is called for, the allegations contained in the writ petition are deemed not to be admitted.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Reetobroto Kumar Mitra, J.)