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2025
MONDAY

Court : MB-24
Item : AD-02
Status : DO
ID : 266312
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 25353 OF 2025

CHOLAMANDALAM INVESTMENT & FINANCE COMPANY LIMITED.
VS.
THE STATE OF WEST BENGAL & ORS.

MR. SAYAK RANJAN GANGULY, ADVOCATE
MS. SRIJANI GHOSH, ADVOCATE
MS. INDRANI MAJUMDAR, ADVOCATE

.....for the Petitioner

MR. RAJAT DATTA, ADVOCATE
MR. SANDIP CHATTOPADHYAY, ADVOCATE

.....for the Respondent/State

1. Affidavit of service, as filed, be kept with the record.
2. The petitioner alleges that the respondent no. 2, in spite of passing an order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the SARFAESI Act) on 10.06.2025, has not taken any step to hand over the possession of the property to the concerned petitioner. The petitioner submits that all requisite payments for the process of taking possession and handing over the same to the petitioner has been made.
3. Mr. Datta, learned Advocate appearing on behalf of the State submits that the concerned Executive Magistrate, had been transferred from his post and was not available. He further submits that the District Magistrate will authorize the requisite personnel to execute the order of 10.06.2025 as expeditiously as possible.
4. The respondent no. 2 is directed to take immediate steps to execute the order passed on 10.06.2025 within a period of four weeks from date upon notice to the petitioner.
5. With the afore-stated directions, **WPA 25353 of 2025** is **disposed of**.
6. However, there shall be no order as to costs.
7. Urgent Photostat Certified Copy of this order be given to the parties, if applied for.

(REETOBROTO KUMAR MITRA, J.)

