

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 4817 of 2026

M/s Chola mandalam Investment and Finance
Company Limited

vs

State of West Bengal and Ors.

Ms. Srijani Ghosh,
Ms. Ankita Jha,
Ms. Kripa Kami
... For the petitioner

Mr. Moloy Roy,
Ms. Renuka Patrick
...For the State

1. The grievance of the petitioner is directed against an order dated 12 August 2025 passed by the District Magistrate, 24 Parganas (North) in an application under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI).
2. It is submitted on behalf of the petitioner that despite the above application having been allowed the concerned Executive Magistrate who has been appointed to take actual physical possession of the secured asset has been transferred. In such circumstances the petitioner has been rendered remediless and prays for appointment of a substitute Executive Magistrate or any subordinate officer for implementation of the order

under section 14 of the Act. Despite a representation dated 5 January 2026 the office of the District Magistrate has taken no steps in the matter.

3. The State is represented and submits that they have no objection insofar as a substitute Executive Magistrate or any subordinate officer be appointed to carry out the order passed under section 14 of the Act.
4. In such circumstances, WPA 4817 of 2026 stands disposed of by directing the District Magistrate to act in terms of the representation dated 5 January 2026 and disposed of the same within 7 days from the communication of the order.
5. It is a travesty of justice that an application under section 14 of the Act which mandates expeditious disposal and positively within 60 days has been kept pending unnecessarily.

(Ravi Krishan Kapur, J.)