



GOVERNMENT OF WEST BENGAL  
OFFICE OF THE DISTRICT MAGISTRATE  
NORTH 24 PARGANAS, BARASAT  
(JUDICIAL MUNSHIKHANA DEPARTMENT)

**ORDER**

Whereas Authorized Officer, Indian Bank (E-Allahabad Bank) Zonal Office Barasat, 54, K.N.C.Road, Barasat, North 24 Parganas, Kolkata – 700 124 has filed a petition u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Co-Borrower namely Sri Amiyo Roy S/o. Sri Amulya Roy, residing at, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 124, and Guarantors namely Smt. Manju Ray W/o. Sri Tapabrata Ray, residing at, 478, Ramkrishnapur East, Barasat, North 24 Parganas, Kolkata – 700 120 & Sri Soumitra Sarkar S/o. Sri Samar Sarkar, residing at, Keshab Kunja Apartment, Flat No.- 3B Banmalipur Road, Near Samya Sangha Club, Barasat, Kolkata – 700 124, having another Guarantor namely Smt. Paramita Dutta (Roy) W/o. Amiyo Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125 of the Borrower namely M/s. ABS Computer & Electronics, situated at, 1/13, KNC Road, Ashoke Market-II, 1<sup>st</sup> Floor, Near Barasat Railway Station, Barasat, North 24 Parganas, Kolkata – 700 124. (Case No – 176/23/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Indian Bank (E-Allahabad Bank) Zonal Office Barasat, 54, K.N.C.Road, Barasat, North 24 Parganas, Kolkata – 700 124, seeking administrative assistance in terms of sec 14(1) of the SARFAESI Act of 2002 for taking over physical possession of the secured asset is/are seen and taken up for consideration

and

Whereas from the documents and status report submitted by the Authorised Officer, it transpires that the secured creditor Granted a loan Rs. 1,00,00,000.00 (CC) (Rupees One Crore Only) on 13.03.2017 + IND-GECLS-COVID-19 TL Rs. 17,14,000.00 (Rupees Seventeen Lac Only) on 19.06.2020 + IND-GECLS-1 Extn TL Rs. 12,50,000.00 (Rupees Twelve Lac Fifty Thousand Only) on 05.03.2022 to Borrower namely M/s. ABS Computer & Electronics, situated at, 1/13, KNC Road, Ashoke Market-II, 1<sup>st</sup> Floor, Near Barasat Railway Station, Barasat, North 24 Parganas, Kolkata – 700 124, having a Co-Borrower namely Sri Amiyo Roy S/o. Sri Amulya Roy, residing at, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 124, having Guarantors namely Smt. Manju Ray W/o. Sri Tapabrata Ray, residing at, 478, Ramkrishnapur East, Barasat, North 24 Parganas, Kolkata – 700 120 & Sri Soumitra Sarkar S/o. Sri Samar Sarkar, residing at, Keshab Kunja Apartment, Flat No.- 3B Banmalipur Road, Near Samya Sangha Club, Barasat, Kolkata – 700 124, Smt. Paramita Dutta (Roy) W/o. Amiyo Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125, against the all the mortgaged piece and parcel of landed property as follows:

**SCHEDULE OF PROPERTY**

1A) All that piece and parcel of one shop room being shop Room No. F-19 having area of more or less 95 sq. ft. on the first floor along with all common areas and passages in the ground and first floor and proportionate, undivided and impartible share in the land underneath and being part of the four storied building (G+3) comprising under Mouza – Banamalipur, J.L.No – 80, Touzi No – 569, R.S.Dag No – 412, 415 & 416, under R.S.Khatian No – 252, 253, 371 of the building named and identified as "Ashok Market", phase –II, Holding No.- 13, KNC Road, within the local jurisdiction of Barasat Municipality, PO & PS – Barasat, North 24 Parganas. recorded in Book No. I, Volume No. 5, page from 2865 to 2886, being no. 02198 for the year 2014, registered at DSR-II. The property is butted and bounded by North – Common Passage, South – Common Passage, East – Shop of Bhakti Bhattacharjee, West – Common Passage. The Property stands in the name of Sri Amiyo Roy S/o. Sri Amulya Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125.

1B) All that piece and parcel of one shop room being shop room no. F-20 having area of more or less 83 sq. ft. on the first floor, along with all common areas and passages in the ground and ground floor and proportionate, undivided and impartible share in the land underneath and being part of the four storied building (G+3) comprising under Mouza – Banamalipur, J.L. No.- 80, Touzi No – 569, R.S.Dag No – 412, 415 & 416 under R.S.Khatian No – 371, 252 and 253, L.R.Dag No – 1231, L.R.Khatian No – 749, 750, 755, 756, 754 of the building named and indentified as "Ashok Market", Phase – II, Holding No. – 13, KNC Road, within the local jurisdiction of Barasat Municipality, PO & PS – Barasat, North 24 Parganas, recorded in book no. I, Volumen No – 1503-2016, Pages from 117 to 151, being no. 150300007 for the year 2016, registered at ADSRO- Barasat. The Property is Butted and Bounded by North – 4'-00" Common Passage, South – Shop of Dipak Bhatracharyaand U Roy & others, East – Wall, West – Shop of Amiyo Roy. The Property stands in the name of Sri Amiyo Roy S/o. Sri Amulya Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125.

1C) All that piece and parcel of two shop rooms being shop room no. 16 and 18 having areas of more or less 302 sq. ft. on the first floor along with all common areas and passages in the ground and first floor and proportionate, undivided and impartible share in the land underneath and being part of the four storied building (G+3) comprising under Mouza – Banamalipur, JL No.- 80, Touzi No – 569, R.S.Dag No – 412, 415 & 416, R.S. Khatian No – 252, 253, 371 of the building named and identified as "Ashok Market", Phase – II, Municipal Holding No. – 13, KNC Road (North) near Barasat Railway Station, within the local Jurisdiction of Barasat Muinicipality, ADSRO & PS – Barasat, North 24 Parganas, recorded in Book No. I, Volume No. 4, Page From 1239 to 1261, being no. 01008 for the year 2010, registered at ADSRO – Barasat. The Property is Butted and Bounded by North – Shop room of other shop, South - Stair case, East – 8' wide passage + Ashok Market, West – Shop room, of other shop. The property stands in the name of Smt. Manju Ray W/o. Tarapada Ray, 478, Ramrishnapur East, Barasat, North 24 Parganas, Kolkata – 700 124.

(Continued to page No. – 2)

1D) All that piece and parcel of shop room being shop room no. 11 at present 19 having areas of more or less 200 sq. ft. on the first floor along with all common areas and passages in the ground and first floor and proportionate, undivided and impartible share in the land underneath and being part of the four storied building (G+3) comprising under Mouza – Banamalipur, JL. No.- 80, Touzi No – 569, R.S.Dag No – 412, 415 & 416 under L.R.Plot No. – 1230, 1231, 1236 and 1238, under R.S.Khatian No – 252, 253, 371, L.R.Khatian No – 749, 750, 754, 755 and 756 of the building named and identified as "Ashok Market", Phase – II, Holding No. – 9/1 and 13, KNC Road, within the local jurisdiction of Barasat Municipality, PO & PS – Barasat, North 24 Parganas, recorded in book no. I, Volumen No – 1525-2016, Pages from 90008 to 90036, being no. 152503780 for the year 2016, registered at DSR -III- Barasat. The Property is Butted and Bounded by North – 4'-00" Common Passage, South – Staircase, East – Shop No. 12 at Present 20 of Manju Roy, West – 4.5' wide common passage. The Property stands in the name of Sri Soumitra Sarkar S/o. Sri Samar Sarkar, Keshab Kunja Apartment, Flat No. 3B, Banmalipur Road, Near Samya Sangha Club, Barasat, Kolkata – 700 124.

1E) All that piece and parcel of landed property measuring an area more or less 02 Cottah 09 Chittack along with construction thereon situated at Mouza – Palpakuria, JL No. – 82, Touzi No – 146, Re Sa No – 228, Comprising in 2 Plots (A. 02 Cottah 1 Chittack 30 Sq. Ft. on Dag No. 239 having Khatian No – 247, L.R.Khatian No - 607) ADSRO – Kadambagachi, Under Barasat Municipality, Recorded in Book No – I, Volume No. 18, Page From 325 to 332, being no. 922 for the year 2000, registered at District Sub-Registrar-II, Barasat. The property is Butted and Bounded by North – Ajoy Mondal, South – Tapas Mitra, East – Municipal Road, West – Dag No. 239. The property stands in the name of Sri Amiyo Roy S/o. Amulya Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125.

2) The borrower has committed default in repayment of the financial assistance granted aggregating the specified amount and consequent to such default in repayment, the account of borrower was classified as NPA on 29.08.2022 due to non servicing of interest/ installment

3) Notice dated 03.11.2022 u/s 13(2) of SARFAESI Act. 2002 demanding payment of default amount was served to the defaulting borrower. The total outstanding amount as mentioned in notice is Rs 1,28,87,047.00 (Rupees One Crore Twenty Eight Lac Eighty Seven Thousand Forty Seven) only and the demand notice was received by the borrower on 15.11.2022.

4) The Authorised Officer of the secured creditor received representation (vide dated 28.12.2022) on 29.12.2022 from the borrowers in reply to demand notice u/s 13(2), which was duly replied by the secured creditor on 10.01.2023.

5) The Secured creditor issued possession notice dated 15.02.2023 u/s 13(4) of SARFAESI Act of 2002 for taking Possession on the secured assets of the borrower and also published the same in the daily news papers on 21.02.2023

6) Thus the Authorised Officer of the secured creditor observed all the formalities as laid down in the SARFAESI Act 2002 for realization of the said outstanding amount from the secured debtor

and

7) whereas, the Secured Asset in within the jurisdiction of the District Magistrate, North 24- Parganas

and

8) whereas, the amount dues more than 20% of the Principal Advance and Security interest is not created in any agricultural land

and

9) whereas, the secured creditor wants to reconstruct their financial asset(s) after handing over and taking over physical possession of the secured asset / property as scheduled above, belonging to the Borrower(s) / Co-borrower(s) / Director(s) / Guarantor(s) / Partner(s) / Proprietor(s) / Corporate Guarantor(s) / Surety(ies) as per law in force

and

10) whereas, for the purpose of taking possession of the secured asset(s) and documents, the secured creditor requested the District Magistrate, North 24 Parganas u/s 14 of SARFAESI Act of 2002.

and

11) SA No. 210 of 2023 at the Ld. DRT-III, Kolkata under Section 34 of SARFAESI Act, 2002 in this regard filed by the borrower & Mr. Soumitra Sarkar (Guarantor-Mortgagor) filed DY No. 1132 of 2023 before the Ld. DRT-III, Kolkata as per '30 Clauses' declaration submitted by the secured creditor and as per affidavit dated 27.09.2023 submitted by the secured creditor there is no stay declared by any court of law

and

12) The property is not under leesee/tenancy as per affidavit, deed(s), records or all other relevant documents

and

Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1B) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Indian Bank (E-Allahabad Bank) Zonal Office Barasat, 54, K.N.C.Road, Barasat, North 24 Parganas, Kolkata – 700 124, the secured creditor and being satisfied, it is hereby ordered that Sri Rajib Sardar, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, under the District Magistrate North 24 Parganas will take physical possession of the secured assets/property and forward the same to the secured creditors u/s 14 (1A) of SARFAESI act. 2002

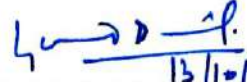
(3)

and

Whereas Authorized Officer, Indian Bank (E-Allahabad Bank) Zonal Office Barasat, 54, K.N.C.Road, Barasat, North 24 Parganas, Kolkata – 700 124, will intimate the date of possession of the secured asset to the The Superintendent of Police, Barasat Police District, as well as to, Sri Rajib Sardar, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, well in advance to take physical possession of the secured assets/Property of the secured creditor on behalf of District Magistrate, North 24- Parganas, the The Superintendent of Police, Barasat Police District, will provide police force for maintenance of law & order. The secured creditor will remain present at the time of taking over physical possession

A spot videography should be made in Connection with taking over physical possession of secured assets, on the date of taking over possession and soft copy of the videography should be kept under custody  
Let copy of this order be served upon all concerned.

The order is to be enforced within 06 (Six) months from the date of receipt of this order.


  
District Magistrate  
North 24-Parganas.  
04/10/23

Memo No. J -15013(11)/ -2872 11(5)/2023/JM

Date. - 16 / 10 / 2023

Copy forwarded for information and necessary action to :-

1. The Superintendent of Police, Barasat Police District, with a request to comply with the said order.
2. The Sub Divisional Officer, Barasat, North 24- Parganas, with a request to comply with the said order.
3. Sri Rajib Sardar, Executive Magistrate, in the Office of the District Magistrate, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Indian Bank (E-Allahabad Bank) Zonal Office Barasat, 54, K.N.C.Road, Barasat, North 24 Parganas, Kolkata – 700 124.
5. M/s. ABS Computer & Electronics, situated at, 1/13, KNC Road, Ashoke Market-II, 1<sup>st</sup> Floor, Near Barasat Railway Station, Barasat, North 24 Parganas, Kolkata – 700 124, having a Co-Borrower namely Sri Amiyo Roy S/o. Sri Amulya Roy, residing at, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 124, having Guarantors namely Smt. Manju Ray W/o. Sri Tapabrata Ray, residing at, 478, Ramkrishnapur East, Barasat, North 24 Parganas, Kolkata – 700 120 & Sri Soumitra Sarkar S/o. Sri Samar Sarkar, residing at, Keshab Kunja Apartment, Flat No.- 3B Banmalipur Road, Near Samya Sangha Club, Barasat, Kolkata – 700 124, Smt. Paramita Dutta (Roy) W/o. Amiyo Roy, Nibedita Pally, PO – Noapara, Barasat, North 24 Parganas, Kolkata – 700 125.

  
District Magistrate  
North 24-Parganas.  
04/10/23