



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

**Order**

Whereas Authorized Officer, IIFL Home Finance Limited, Base Branch Office, 1 Shakesphere Sarani, AC Market, Kolkata-700071 has filed a petition to the District Magistrate, North 24-Parganas, u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured Asset / Property of the Borrower namely Mr. Ajay Kumar Jaiswal , S/O Mr. Bindachal Jaiswal, Hb-175,Salt Lake, Block-Hb,Sector-iii, Bidhan Nagar(South), North 24 Parganas, West Bengal, Pin-700106. Also at : R J Steel Traders, Plot No.-175, Block Hb, North 24 Parganas, west Bengal. Pin-700106. Also at : Flat No A and B on 4<sup>th</sup> Floor, at AC-80, Premises No. 03-032, Street No. 32 Plot No-Ac-80/1, Block-Ac,Category- Higi li, Action Area-I A,New Town, PS-Rajarhat, Kolkata-700159, West Bengal and Mrs. Reena Jaiswal(Co-Borrower), W/O Mr. Ajoy Kumar jaiswal, Flat No. A and B on 4<sup>th</sup> Floor, at AC-80, Premises No. 03-032, Street No. 32 Plot No-Ac-80/1, Block-Ac,Category- Higi li, Action Area-I A,New Town, PS-Rajarhat, Kolkata-700159.In the Case No.: 891 / 22 dated 21 / 10/ 2022.

And

Whereas in the light of above matter the petition along with affidavits and other relevant documents submitted by the Authorised officer, IIFL Home Finance Limited, Base Branch Office, 1 Shakesphere Sarani, AC Market, Kolkata-700071 has filed a petition to the District Magistrate, North 24-Parganas seeking administrative assistance in terms of Section 14 (1) of the SARFAESI Act of 2002 for taking over physical possession of the Secured Asset is seen and taken up for consideration.

And

Whereas from the documents and status report submitted by the Authorised Officer, it transpires that secured creditor granted loan of Rs. 86,00,000.00 (Rupees Eighty Six Lakhs) only on 28.02.2017 to the Borrower viz. Mr. Ajay Kumar Jaiswal , S/O Mr. Bindachal Jaiswal, Hb-175,Salt Lake, Block-Hb,Sector-iii, Bidhan Nagar(South), North 24 Parganas, West Bengal, Pin-700106. Also at : R J Steel Traders, Plot No.-175, Block Hb, North 24 Parganas, west Bengal. Pin-700106. Also at : Flat No A and B on 4<sup>th</sup> Floor, at AC-80, Premises No. 03-032, Street No. 32 Plot No-Ac-80/1, Block-Ac,Category- Higi li, Action Area-I A,New Town, PS-Rajarhat, Kolkata-700159, West Bengal and Mrs. Reena Jaiswal(Co-Borrower), W/O Mr. Ajoy Kumar jaiswal, Flat No. A and B on 4<sup>th</sup> Floor, at AC-80, Premises No. 03-032, Street No. 32 Plot No-Ac-80/1, Block-Ac,Category- Higi li, Action Area-I A,New Town, PS-Rajarhat, Kolkata-700159 against the mortgaged piece and parcel of landed property as follows:

**Schedule of Property**

- 1) All that piece and parcel of: Flat No A and B on 4<sup>th</sup> Floor, Area admeasuring Front side measuring a super built up area of 2220(Two Thousand Two Hundred Twenty) Sq.Ft. more or less with Marble Flooring and Lift facility and two covered Garage on Ground Floor sq.ft. more or less measuring a super built up area of 130(One Hundred Thirty) sq.ft. more or less each i.e. the total area of 260(Two Hundred Sixty),sq. ft. including super built up area with cemented flooring of the said building, at Ac-80, Premises No. 03-032 street No. 32 Plot No. Ac-80/1,Block-Ac, Category-Higi li, Action Area-1A, New Town, P.S. Rajarhat, Kolkata-700159, West Bengal.
- 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 07.05.2022 due to non servicing of interest/ installment
- 3) Notice dated 18.06.2022 u/s 13(2) of SARFAESI Act. 2002 demanding payment of default amount was served to the defaulting borrower. The outstanding amount as mentioned in notice is Rs.99,75,573.00 (Rupees Ninety Nine Lac Seventy Five Thousand Five Hundred Seventy Three) only and delivered on 23.06.2022.
- 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 18.06.2022.
- 5) The Secured creditor issued possession notice dated 06.09.2022 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 09.09.2022.
- 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

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(2)

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) There is no case pending before any court of law under Section 34 of SARFAESI Act, 2002 in this regard filed by the borrower as per '30 Clauses' declaration submitted by the secured creditor and as per affidavit dated 23.09.2022 submitted by the secured creditor there is no stay declared by any court of law.

And

12) The property is not under lease/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(1) B 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 IIFL Home Finance Limited, Base Branch Office, 1 Shakesphere Sarani, AC Market, Kolkata-700071 has filed a petition to the District Magistrate, North 24-Parganas, the secured creditor and being satisfied, it is hereby ordered that Sri Asish Mondal, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the office of the Sub-Divisional Officer, Bidhannagar Sub-Division, North 24 Parganas under District Magistrate North 24 Parganas will take physical possession of the secured assets/property and forward the same to the secured creditor u/s 14 (1A) of SARFAESI act. 2002.

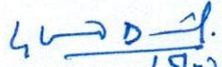

And

Whereas Authorized Officer, IIFL Home Finance Limited, Base Branch Office, 1 Shakesphere Sarani, AC Market, Kolkata-700071 has filed a petition to the District Magistrate, North 24-Parganas shall intimate the date of possession of the secured asset to the Commissioner of Police, Bidhannagar Police Commissionerate, North 24 - Parganas, as well as to, Sri Asish Mondal, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the office of the Sub-Divisional Officer, Bidhannagar Sub-Division, North 24 Parganas under 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 Commissioner of Police, Bidhannagar Police Commissionerate, North 24 - Parganas, 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  


Date. 15-03-2024

Memo No.: 866/JM

Copy forwarded for information and necessary action to:

- 1) The Commissioner of Police, Bidhannagar Police Commissionerate, North 24 Parganas, with a request to comply with the said order.
- 2) The Sub Divisional Officer, Bidhannagar, North 24 Parganas, with a request to comply with the said order.
- 3) Sri Asish Mondal, Executive Magistrate, in the office of the Sub-Divisional Officer, Bidhannagar Sub-Division, North 24 Parganas, with a request to comply with the said order.
- 4) Authorized Officer, IIFL Home Finance Limited, Base Branch Office, 1 Shakesphere Sarani, AC Market, Kolkata-700071.
- 5) Mr. Ajay Kumar Jaiswal, S/O Mr. Bindachal Jaiswal, Hb-175, Salt Lake, Block-Hb, Sector-iii, Bidhan Nagar(South), North 24 Parganas, West Bengal, Pin-700106..

  
District Magistrate  
North 24 Parganas  
