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



ORDER

Whereas Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 assets/Property of the Borrower & Guarantor namely Sri Biswajit Dey S/o. Sri Dhiren Chandra Dey, having a Co-Borrower namely Sri Dilip Dey, both are residing at, Priyanagar, Panihati Municipality, Sodepur, Kolkata – 700 110,. (Case No – 82/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 secured creditor granted a loan Rs. 15,43,500.00 (Rupees Fifteen Lac Forty Three Thousand and Five Hundred Only) on 24.03.2018 to Borrower & Guarantor namely Sri Biswajit Dey S/o. Sri Dhiren Chandra Dey, having a Co-Borrower namely Sri Dilip Dey, both are residing at, Priyanagar, Panihati Municipality, Sodepur, Kolkata – 700 110, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of one residential flat being No. B 3 measuring a Super built up area more or less 680 Square Feet on the 2nd floor, South-West side situated on the landed property measuring an area more or less 4 Cottah together with structure standing thereon lying and situated under Mouza – Tarapukuria, J.L.No – 12, Touzi No – 178, R.S. & L.R.Khatian No – 21, Modified Khatian No – 10, New Khatian No – 2259, R.S. & L.R. Dag No – 330, Holding No. – 39, B.C.Sen Road, within the jurisdiction of Panihati Municipality, PS – Khardah, North 24 Parganas, PIN – 700 109. The Building is butted and bounded by North – Judhithir Das, South – 10' wide pucca Road, East – 12' wide B.C.Sen Road, West – Land of B.M.Ghosh. The Mortgaged Property stands in the name of Sri Biswajit Dey S/o. Sri Dhiren Chandra Dey and being the registered Deed No. – I – 152402046 the year 2018 at the Office of the ADSR – Sodepur, North 24 Parganas, WB.

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 31.03.2021 due to non servicing of interest/ installment

3) Notice dated 23.07.2021 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. 16,24,662.88 (Rupees Sixteen Lac Twenty Four Thousand Six Hundred Sixty Two and Eighty Eight Paise) only and the demand notice was published in two daily news papers on 17.08.2021

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 23.07.2021

5) The Secured creditor issued possession notice dated 16.12.2021 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 21.12.2021

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) 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 18.04.2023 there is no stay declared by any court of law

(Continued to page No. – 2)

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 PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016, the secured creditor and being satisfied, it is hereby ordered that Sri Surajit Ghosh, 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, Barrackpore, 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 creditor u/s 14 (1A) of SARFAESI act. 2002 and

Whereas Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Surajit Ghosh, 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, Barrackpore, 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, Barrackpore, 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.

[Signature]
District Magistrate,

North 24 - Parganas.

[Signature]

Date. - 24/07/2023

Memo No. J -15013(11)/ 1933 /1/(5)/2023/JM

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Sri Surajit Ghosh, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016.
5. Borrower & Guarantor namely Sri Biswajit Dey S/o. Sri Dhiren Chandra Dey, having a Co-Borrower namely Sri Dilip Dey, both are residing at, Priyanagar, Panihati Municipality, Sodepur, Kolkata – 700 110.

[Signature]
District Magistrate
North 24-Parganas.

[Signature]





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



ORDER

Whereas Authorized Officer, Punjab National Bank, SASTRA Division, Kolkata North, Oriental Division, Kolkata North, Oriental Bank House, DD-11, Sector – 1, 4th Floor, Salt Lake, Kolkata – 700 064 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 assets/Property of the Guarantor namely Sri Biswasjit Bhattacharjee S/o. Late Pulin Behari Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131, of the Borrower namely M/s. Garden City, situated at, 261, Jassore Road, Michael Nagar, Kolkata – 700 133, having Partners namely Sri Abhishek Bhattacharjee S/o. Sri Biswajit Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131, Sri Aayan Roy S/o. Late Ashok Kumar Roy, residing at, 26B, Balaram Ghosh Street, Shyambazar Mail, Kolkata – 700 004 & Sri Pulak Roy S/o. Late Sukhendu Kumar Dey, residing at, 26, Ananda Mohan Bose Road, South Dum Dum, Motijheel, Kolkata – 700 074. (Case No – 103/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Punjab National Bank, SASTRA Division, Kolkata North, Oriental Division, Kolkata North, Oriental Bank House, DD-11, Sector – 1, 4th Floor, Salt Lake, Kolkata – 700 064 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 secured creditor granted a loan Rs. 30,00,000.00 (Cash Credit) (Rupees Thirty Lac Only) on 29.11.2017 & Rs. 5,80,000.00 (GECL) (Rupees Five Lac Eighty Thousand Only) 16.06.2020 to Borrower namely M/s. Garden City, situated at, 261, Jassore Road, Michael Nagar, Kolkata – 700 133, having Partners namely having Partners namely Sri Abhishek Bhattacharjee S/o. Sri Biswajit Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131, Sri Aayan Roy S/o. Late Ashok Kumar Roy, residing at, 26B, Balaram Ghosh Street, Shyambazar Mail, Kolkata – 700 004 & Sri Pulak Roy S/o. Late Sukhendu Kumar Dey, residing at, 26, Ananda Mohan Bose Road, South Dum Dum, Motijheel, Kolkata – 700 074, having a Guarantor namely Sri Biswasjit Bhattacharjee S/o. Late Pulin Behari Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All the piece and parcel of a landed Property measuring area more or less 2 Cottah 3 Chittack 25 Square Feet (Comprising of (i) landed property measuring an area more or less 12 Chittack 2 Square Feet, C.S.Khatian No – 394, 395, 396, 397, 398, Dag No – 553, (ii) Landed property measuring an area more or less 6 Chittack 43 Square Feet at C.S.Khatian No – 496, Dag No – 555, (iii) Landed property measuring an area more or less 1 Cottah 1 Chittack 25 Square Feet at C.S.Khatian No – 493, Dag No - 550) including Two Storied residential building along with super structure situated under Mouza – Kodalia, J.L.No – 36, Re Sa No – 93, Touzi No – 173, Holding No – 108/19, Dakshin Kodalia, Under New Barrackpore Municipality, PO – New Barrackpore, PS – Ghola, North 24 Parganas, Kolkata – 700 131. The Building is butted and bounded by North – Land of Others, South – 12' wide Municipality Road, East – Land of Sri Nripen Das, West – Land of Sri Chandan Das. The Mortgaged Property stands in the name of Sri Biswasjit Bhattacharjee S/o. Late Pulin Behari Bhattacharjee and being the registered Deed No. – I – 5991 for the year 2012 at the Office of the DSR - I, North 24 Parganas, WB.
- 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 31.03.2021 due to non servicing of interest/ installment
- 3) Notice dated 08.09.2021 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. 39,91,833.00 (Rupees Thirty Nine Lac Ninety One Thousand Eight Hundred and Thirty Three) only and the demand notice was received by the borrower on 16.09.2021
- 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 08.09.2021
- 5) The Secured creditor issued possession notice dated 29.11.2021 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 02.12.2021
- 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

(Continued to page No. – 2)

(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) SA No – 755 of 2021 is pending before Ld. DRT – III Kolkata, regarding this case filed by the borrower, but there is no Stay as per record given by the financial institution and as per affidavit dated 07.06.2023 filed by the Secured creditor at the time of hearing

and

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

and

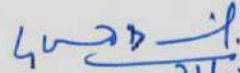
Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1) B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Punjab National Bank, SASTRA Division, Kolkata North, Oriental Division, Kolkata North, Oriental Bank House, DD-11, Sector – 1, 4th Floor, Salt Lake, Kolkata – 700 064, the secured creditor and being satisfied, it is hereby ordered that Smt. Rani Bhattachary, 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, Barrackpore, 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 creditor u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, Punjab National Bank, SASTRA Division, Kolkata North, Oriental Division, Kolkata North, Oriental Bank House, DD-11, Sector – 1, 4th Floor, Salt Lake, Kolkata – 700 064 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Smt. Rani Bhattachary., 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, Barrackpore, 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, Barrackpore, 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.

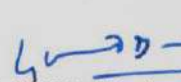

District Magistrate,
North 24 - Parganas.

Memo No. J -15013(11)/ 1931 /1/ (5)/2023/JM


Date. 24 10 7 2023

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Smt. Rani Bhattachary, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Punjab National Bank, SASTRA Division, Kolkata North, Oriental Division, Kolkata North, Oriental Bank House, DD-11, Sector – 1, 4th Floor, Salt Lake, Kolkata – 700 064.
5. M/s. Garden City, situated at, 261, Jassore Road, Michael Nagar, Kolkata – 700 133, having Partners namely having Partners namely Sri Abhishek Bhattacharjee S/o. Sri Biswajit Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131, Sri Aayan Roy S/o. Late Ashok Kumar Roy, residing at, 26B, Balaram Ghosh Street, Shyambazar Mail, Kolkata – 700 004 & Sri Pulak Roy S/o. Late Sukhendu Kumar Dey, residing at, 26, Ananda Mohan Bose Road, South Dum Dum, Motijheel, Kolkata – 700 074, having a Guarantor namely Sri Biswasjit Bhattacharjee S/o. Late Pulin Behari Bhattacharjee, residing at, 108/19, Dakshin Kodalia, Usha Kanan, Ward No. 18, PO – New Barrackpore, PS – Ghola, Kolkata – 700 131.


District Magistrate
North 24-Parganas.




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



Whereas Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 assets/Property of the Borrower namely Sri Kunal Ganguly S/o. Sri Pallab Ganguly & Co-Borrower namely Smt. Basanti Ganguly W/o. Sri Pallab Ganguly, both are residing at, 112, Natun Gram Road, Bhatpara, Municipality, Shyamnagar, North 24 Parganas, Kolkata – 700 127. (Case No – 81/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 secured creditor granted a loan Rs. 16,25,400.00 (Rupees Sixteen Lac Twenty Five Thousand Four Hundred Only) on 17.07.2018 to Borrower namely Sri Kunal Ganguly S/o. Sri Pallab Ganguly & Co-Borrower namely Smt. Basanti Ganguly W/o. Sri Pallab Ganguly, both are residing at, 112, Natun Gram Road, Bhatpara, Municipality, Shyamnagar, North 24 Parganas, Kolkata – 700 127, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of one residential flat being No. 4-A measuring a Super built up area more or less 788 Square Feet on the 4th floor, West-South-North side of the building namely 'Annapurna Apartment', situated on the landed property measuring an area more or less 3 Cottah & 24 Square Feet together with structure standing thereon lying and situated under Mouza – Mulajore, J.L.No – 18, Khatian No – 575 & 576, R.S. Dag Nos – 570 & 560, Holding No. – 52, Basudevpur Road, within the jurisdiction of Bhatpara Municipality, PO - Shyamnagar PS – Jagaddal, North 24 Parganas, PIN – 743 127. The Building is butted and bounded by North – House of Ajoy Chatterjee, South – House of Biswanath Ghosh, East – House of Biva Rani Mondal, West – 16' wide Road. The Mortgaged Property stands in the name of Sri Kunal Ganguly S/o. Sri Pallab Ganguly & Smt. Basanti Ganguly W/o. Sri Pallab Ganguly and being the registered Deed No. –190408786 the year 2018 at the Office of the ARA – IV, Kolkata, WB.
 - 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 31.03.2021 due to non servicing of interest/ installment
 - 3) Notice dated 06.07.2021 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. 15,29,192.95 (Rupees Fifteen Lac Twenty Nine Thousand One Hundred Ninety Two and Ninety Five Paise) only and the demand notice was published in two daily news papers on 17.08.2021
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 06.07.2021
 - 5) The Secured creditor issued possession notice dated 16.12.2021 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 21.12.2021
 - 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) 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 18.04.2023 there is no stay declared by any court of law.

(Continued to page No. – 2)

(2)

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 PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016, the secured creditor and being satisfied, it is hereby ordered that Sri Pinaki Sankar Biswas, 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, Barrackpore, 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 creditor u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Pinaki Sankar Biswas, 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, Barrackpore, 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, Barrackpore, 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.

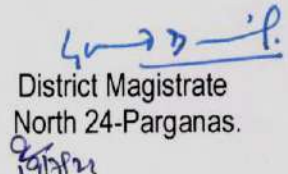
The order is to be enforced within 06 (Six) months from the date of receipt of this order.


District Magistrate,
North 24 - Parganas.

Memo No. J -15013(11)/ 1932 /1/(5)/2023/JM
Copy forwarded for information and necessary action to :-

Date. - 24 / 07 / 2023

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Sri Pinaki Sankar Biswas, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016.
5. Sri Kunal Ganguly S/o. Sri Pallab Ganguly & Co-Borrower namely Smt. Basanti Ganguly W/o. Sri Pallab Ganguly, both are residing at, 112, Natun Gram Road, Bhatpara, Municipality, Shyamnagar, North 24 Parganas, Kolkata – 700 127.


District Magistrate
North 24-Parganas.





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



ORDER

Whereas Authorized Officer, Punjab National Bank, Circle Sastra, 24 Parganas (North) Circle, Barasat, 48-A, Jessore Road, Barasat (Near Seth Pukur), 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 Proprietor namely Md. Rafikuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having a Guarantor namely Md. Mesbahuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having another Guarantor namely Smt. Sabnam Begam W/o. Md. Rafikuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423 of the Borrower namely M/s. Mousumi Enterprise, situated at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423. (Case No – 116/23/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Punjab National Bank, Circle Sastra, 24 Parganas (North) Circle, Barasat, 48-A, Jessore Road, Barasat (Near Seth Pukur), 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. 9,50,000.00 (Rupees Nine Lac Fifty Thousand Only) on 23.07.2014 to Borrower namely M/s. Mousumi Enterprise, situated at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423, having a Proprietor namely Md. Rafikuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having a Guarantor namely Md. Mesbahuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having another Guarantor namely Smt. Sabnam Begam W/o. Md. Rafikuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of Landed property measuring an area more or less 9 Decimals along with a building thereon situated under Mouza – Baidyapur, J.L.No – 150, L.R.Khatian No – 650/1, R.S. & L.R.Dag No – 901, under the local jurisdiction of Falti Beliaghata Gram Panchayet, PS – Shasan, North 24 Parganas, PIN – 743 423. The Mortgaged Property stands in the name of Md. Rafikuddin S/o. Mahiuddin & Md. Mesbahuddin S/o. Mahiuddin and being the registered Deed No. – 1 – 4354 for the year 2001 and the deed is registered at the office of A.D.S.R- Barasat, North 24 Parganas, 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 31.01.2019 due to non servicing of interest/ installment
 - 3) Notice dated 02.02.2019 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 9,75,388.50 (Rupees Nine Lac Seventy Five Thousand Three Hundred Eighty Eight and Fifty Paise) Only and the demand notice was received by the borrower on 15.03.2019.
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 15.03.2019.
 - 5) The Secured creditor issued possession notice dated 15.06.2020 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 19.06.2020
 - 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.

(Continued to page No. – 2)

(2)

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

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 Punjab National Bank, Circle Sastra, 24 Parganas (North) Circle, Barasat, 48-A, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124, the secured creditor and being satisfied, it is hereby ordered that Smt. Runu Roy, 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, Barasat, 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

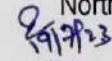
and

Whereas Authorized Officer, Punjab National Bank, Circle Sastra, 24 Parganas (North) Circle, Barasat, 48-A, Jessore Road, Barasat (Near Seth Pukur), 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, Smt. Runu Roy, 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, Barasat, 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.

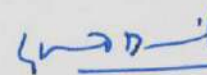

Date - 24/07/2023

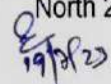
Memo No. J -15013(11)/ 1929 /1/(5)/2023/JM


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. Smt. Runu Roy, Executive Magistrate, in the Office of the Sub Divisional Officer, Barasat, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Punjab National Bank, Circle Sastra, 24 Parganas (North) Circle, Barasat, 48-A, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124.
5. M/s. Mousumi Enterprise, situated at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423, having a Proprietor namely Md. Rafikuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having a Guarantor namely Md. Mesbahuddin S/o. Mahiuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN – 743 423 having another Guarantor namely Smt. Sabnam Begam W/o. Md. Rafikuddin, residing at, Vill & PO – Baidyapur, PS – Shasan, North 24 Parganas, PIN Code – 743 423.




District Magistrate
North 24-Parganas.




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



ORDER

Whereas Authorized Officer, UCO Bank, Kanchrapara Branch, 109, ABC Lenin Sarani, PO – Kanchrapara, PS – Bizpur, North 24 Parganas, PIN – 743 145 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 assets/Property of the Borrower namely Sri Swapan Kumar Roy S/o. Sri Sachindra Nath Roy having a Co-Borrower namely Smt. Mira Roy W/o. Sri Swapan Kumar Roy, both are residing at, 39/66/95, Khasbati, Iswari Nagar Road, PO – Hazinagar, PS – Bizpur, North 24 Parganas, PIN – 743 135. (Case No – 92/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, UCO Bank, Kanchrapara Branch, 109, ABC Lenin Sarani, PO – Kanchrapara, PS – Bizpur, North 24 Parganas, PIN – 743 145 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 secured creditor granted a loan Rs. 10,00,000.00 (Term Loan) (Rupees Ten Lac Only) on 12.12.2012 to Borrower namely Sri Swapan Kumar Roy S/o. Sri Sachindra Nath Roy having a Co-Borrower namely Smt. Mira Roy W/o. Sri Swapan Kumar Roy, both are residing at, 39/66/95, Khasbati, Iswari Nagar Road, PO – Hazinagar, PS – Bizpur, North 24 Parganas, PIN – 743 135, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All the piece and parcel of a Landed property measuring an area more or less 4 Cottah along with Super Structure situated under Mouza – Khasbati, J.L.No – 7, C.S.Plot No – 667 (Part), LOP No. – 222/2, Holding No – 39/66/95, Khasbati, Iswarinagar Road, PS- Bizpur, North 24 Parganas. The Building is butted and bounded by North – LOP 222/1, South – Ex Land, East – LOP No. - 223, West – Road. The Mortgaged Property stands in the name of Sri Swapan Kumar Roy S/o. Sri Sachindra Nath Roy and being the registered Deed No. – I – 2971 for the year 1992 at the Office of the A.D.R.- North 24 Parganas.
 - 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 06.02.2016 due to non servicing of interest/ installment
 - 3) Notice dated 15.11.2018 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.10,80,280.00 (Rupees Ten Lac Eighty Thousand Two Hundred and Eighty) only and the demand notice was received by the borrower on 19.11.2018
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 15.11.2018
 - 5) The Secured creditor issued possession notice dated 18.06.2019 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 22.06.2019
 - 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) 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
- 12) The property is not under leesees/tenancy as per affidavit, deed(s), records or all other relevant documents

(Continued to page No. – 2)

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 UCO Bank, Kanchrapara Branch, 109, ABC Lenin Sarani, PO – Kanchrapara, PS – Bizpur, North 24 Parganas, PIN – 743 145, the secured creditor and being satisfied, it is hereby ordered that Sri Biswanath Chakraborty, 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, Barrackpore, 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 creditor u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, UCO Bank, Kanchrapara Branch, 109, ABC Lenin Sarani, PO – Kanchrapara, PS – Bizpur, North 24 Parganas, PIN – 743 145 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Biswanath Chakraborty, 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, Barrackpore, 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, Barrackpore, 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.

Handwritten signature
District Magistrate,
North 24 - Parganas.
Handwritten initials

Memo No. J -15013(11)/ *1930* 11/(5)/2023/JM
Copy forwarded for information and necessary action to :-

Date. - *24* / *10* / *2023*

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Sri Biswanath Chakraborty, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, UCO Bank, Kanchrapara Branch, 109, ABC Lenin Sarani, PO – Kanchrapara, PS – Bizpur, North 24 Parganas, PIN – 743 145.
5. Sri Swapan Kumar Roy S/o. Sri Sachindra Nath Roy having a Co-Borrower namely Smt. Mira Roy W/o. Sri Swapan Kumar Roy, both are residing at, 39/66/95, Khasbati, Iswari Nagar Road, PO – Hazinagar, PS – Bizpur, North 24 Parganas, PIN – 743 135.

Handwritten signature
District Magistrate
North 24-Parganas.
Handwritten initials

