

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

ORDER

Whereas Authorized Officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006 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 Ashraf Ali Khan S/o. Md. Mashkooor Khan, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, having a Proprietor namely Smt. Chanda Khatun, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117 of the Borrower namely M/s. A One Chicken, situated at, 11/11, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117. (Case No – 237/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006 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. 39,00,000.00 (Rupees Thirty Nine Lac Only) on 30.03.2016 to Borrower namely M/s. A One Chicken, situated at, 11/11, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, having a Proprietor namely Smt. Chanda Khatun, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, having a Guarantor namely Sri Ashraf Ali Khan S/o. Md. Mashkooor Khan, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of Bastu Landed property measuring an area more or less 4 Cottahs 3 Chittacks 16 Square Feet along with a semi pucca building with R.T.Shed measuring an area more or less 1035 Sq. Ft. of Holding No. 11/11, F.G.Road, Within the local jurisdiction of Titagarh Municipality, situated at Mouza – Bon Barrackpore, J.L.No- 1, R.S. No – 8, Touzi No – 1581, R.S>Khatian No – 261, Dag No – 425/480, PS – Khardah, North 24 Parganas. The property is Butted and Bounded by North – Dag No. 428 & 427, House of Nilamuddin Khan, South – Khãrdaha Khal, East – 4 Ft. wide common passage, West – Dag No. 425, House of Abdul Gafur & Abdus Shakur. The Mortgaged Property stands in the name of Sri Ashraf Ali Khan S/o. Md. Mashkooor Khan and being the registered Deed No. – 1 – 4779 for the year 2004 at the Office of the ADSR – Barrackpore, North 24 Parganas, W.B.
- 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 27.09.2018 due to non servicing of interest/ installment
- 3) Notice dated 17.11.2022 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.79,60,337.93 (Rupees Seventy Nine Lac Sixty Thousand Three Hundred Thirty Seven and Ninety Three Paise) only and the demand notice was published in two daily news papers on 22.11.2022
- 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 17.11.2022
- 5) The Secured creditor issued possession notice dated 21.02.2023 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 25.02.2023
- 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) 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 29.12.2023 submitted by the secured creditor 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 Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006, the secured creditor and being satisfied, it is hereby ordered that Smt. Anamika Bera (Saha), 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, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Smt. Anamika Bera (Saha), 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.

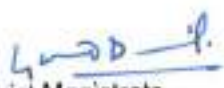
The order is to be enforced within 06 (Six) months from the date of receipt of this order.


District Magistrate,
North 24 - Parganas.
21/1/24

Memo No. J -15013(11)/ 63 11/5/2023/JM
Copy forwarded for information and necessary action to :-

Date - 03/01/2024

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. Anamika Bera (Saha), 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, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006.
5. M/s. A One Chicken, situated at, 11/11, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, having a Proprietor namely Smt. Chanda Khatun, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117, having a Guarantor namely Sri Ashraf Ali Khan S/o. Md. Mashkoor Khan, residing at, 15, Fakir Ghat Road, PO & PS – Khardah, North 24 Parganas, PIN – 700 117.


District Magistrate
North 24-Parganas.
21/1/24



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

ORDER

Whereas Authorized Officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006, 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 Mosharaf Hossain Molla S/o. Late Irshad Ali Molla, residing at, Kalsara, Kadambagachi, PS – Barasat, Kolkata – 700 125 of the Borrower namely M/s. Alam Impex, situated at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039, having a Proprietor namely Md. Imran Alam S/o. Md. Mumtaj Alam, residing at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039. (Case No – 236/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006 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. 40,00,000.00 (Rupees Forty Lac Only) on 14.06.2012 to Borrower namely M/s. Alam Impex, situated at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039, having a Proprietor namely Md. Imran Alam S/o. Md. Mumtaj Alam, residing at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039, having a Guarantor namely Mosharaf Hossain Molla S/o. Late Irshad Ali Molla, residing at, Kalsara, Kadambagachi, PS – Barasat, Kolkata – 700 125, 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 24 Satak at Touzi No – 146, J.L.No – 139, Hal Khatian No – 1151, Dag No – 1425 and Touzi No – 146, J.L.No – 139, Hal Khatian No – 43, Dag No – 1127, measuring an area more or less 11 Satak (Purchased) out of 22 Satak, Touzi No – 146, Mouza – Kalsara, Dag No – 1128, 11 Satak (Purchased) of Land out of 22 Satak, Mouza – Kalsara, Dag No – 1126, 3 Satak (Purchased) of land out of 6 Satak and at Mouza – Kantalia, Dag No – 5744, 12 Satak (Purchased) of Land out of 24 Satak. The property is butted and bounded by north – Road, South – Other Land, East – Jabbar Molla, West – Rahim Molla. Mortgaged Property stands in the name of Mosharaf Hossain Molla S/o. Late Irshad Ali Molla and being the registered Deed No – 1 – 03268 for the year 1975 at the Office of the SR – Barasat, 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 30.06.2014 due to non servicing of interest/ installment
 - 3) Notice dated 26.11.2014 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. 42,64,961.14 (Rupees Forty Two Lac Sixty Four Thousand Nine Hundred Sixty One and Fourteen Paise) Only. The Demand notice was published in two daily news papers on 03.05.2015
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 26.11.2014
 - 5) The Secured creditor issued possession notice dated 19.11.2022 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 23.11.2022
 - 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 is 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 29.12.2023 submitted by the secured creditor 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 Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006, the secured creditor and being satisfied, it is hereby ordered that Sri Lakshmi Kanta Roy, 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

and

Whereas Authorized Officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006, will intimate the date of possession of the secured asset to the The Superintendent of Police, Barasat Police District, as well as to, Sri Lakshmi Kanta Roy, 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.
2/1/24

Memo No. J -15013(11)/ 61 /1(5)/2023/JM

Date. - 03/01/2024

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 Lakshmi Kanta Roy, Executive Magistrate, in the Office of the District Magistrate, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Canara Bank, Manicktolla Branch, 171D and 173A, Vivekananda Road, PS – Burtolla, Kolkata – 700 006.
5. M/s. Alam Impex, situated at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039, having a Proprietor namely Md. Imran Alam S/o. Md. Mumtaj Alam, residing at, 31/F, Rai Charan Ghosh Lane, PS – Tiljala, Kolkata – 700 039, having a Guarantor namely Mosharaf Hossain Molla S/o. Late Irshad Ali Molla, residing at, Kalsara, Kadambagachi, PS – Barasat, Kolkata – 700 125.


District Magistrate
North 24-Parganas
2/1/24



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

ORDER

Whereas Authorized Officer, Punjab National Bank, North 24 Parganas Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Barasat, 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 Guarantor namely Sri Bivas De S/o Late Netai Chand De. residing at, 1 No. Jessore Road, (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124 of the Borrower namely Sri Bikash Dey, S/o. Late Netai Chandra Dey, residing at, 1 No. Hessire Riad (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124. (Case No – 234/23/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, North 24 Parganas Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Barasat, 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. 1,32,25,000.00 (Rupees One Crore Thirty Two Lac Twenty Five Thousand Only) on 25.10.2018 + 30.07.2020 + 20.11.2021 + 29.06.2021 to Borrower namely Sri Bikash Dey, S/o. Late Netai Chandra Dey, residing at, 1 No. Hessire Riad (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124, having a Guarantor namely Sri Bivas De S/o. residing at, 1 No. Jessore Road, (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1A) All that piece and parcel of Self-contained Flat bearing no.-B, at third floor namely Shasi Kuthi, measuring about 942 sq. ft. together with the right of common spaces of the said building with undivided proportionate interest or share in common area and facility and amenities attached to the said flat, erected on land situated at Mouza – Prasadpur, JL No – 39, Re Sa No – 229, Touzi No – 146/2 RS Dag No – 41, LR Dag No – 566, RS Khatian No – 175, LR Khatian No – 1134, under the local jurisdiction of Barasat Municipality, Holding No. 63/G, Jessore Road (South), PS – Barasat, North 24 Parganas. The Property is Butted and Bounded by North – Shankar Pally Road, South – Property of Chittaranjan Talukder, East – Property of Narayan Chandra Kayal, West – 4 ft wide common passage. The Mortgaged Property stands in the name of Sri Bivas De S/o Late Netai Chand De and being the registered Deed No. – I – 2510 for the year 2013 and the deed is registered at the office of DSR-II, Barasat, North 24 Parganas, West Bengal.

1B) All that piece and parcel of shop room measuring about 423.60 Sq. Ft. (Super built up area) erected on building namely Barsha Apartment which is situated on landed property situated at Mouza – Prasadpur, JL No – 39, Re Sa No – 229, Touzi No – 146, R.S.Khatian No – 193, Dag No – 129, under the local jurisdiction of Barasat Municipality at Municipal Holding No. 66, K.N.C.Road, PO + PS – Municipality – Barasat. The shop is butted and bounded by north – 10 ft wide common passage, south – Passage and then Bapi Sadhukhan, East – Stair case, West – Property of Balaram Chandra Saha. The Mortgaged Property stands in the name of Sri Bivas De S/o Late Netai Chand De and being the registered Deed No. – I – 6947 for the year 2006 and the deed is registered at the office of ADSR - Barasat, North 24 Parganas, West Bengal.

1C) All that piece and parcel of shop room measuring an area more or less 122.44 sq.ft. marked as C1 and C2 in deed, lying and situated at Mouza – Prasadpur, JL No – 39, Touzi No – 146, Re Sa No – 229, RS Khatian No – 63,31,24,32 and RS Dag No – 152,153,155,156, under the local jurisdiction of Barasat Municipality, Holding No – 1/3, Bylane of Jessore Road, PS – Barasat, North 24 Parganas. The property is Butted and Bounded by North – 5 ft 5 inch common passage, South – Open Space, East – Stair Case, West – 6ft wide common passage of market. The Mortgaged Property stands in the name of Sri Bivas De S/o Late Netai Chand De and being the registered Deed No. – I – 2159 for the year 2015 and the deed is registered at the office of ADSR - 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 11.07.2022 due to non servicing of interest/ installment

3) Notice dated 19.08.2022 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 1,30,04,016.90 (Rupees One Crore Thirty Lac Four Thousand Sixteen and Ninety Paise) only and the demand notice was received by the borrower on 25.08.2022 and by the Guarantor namely 25.08.2022.

4) The Authorised Officer of the secured creditor received representation (vide dated 14.10.2022) on 14.10.2022 from the borrowers in reply to demand notice u/s 13(2), which was duly replied by the secured creditor on 15.10.2022.

5) The Secured creditor issued possession notice dated 10.01.2023 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 13.01.2023

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 is within the jurisdiction of the District Magistrate, North 24- Parganas

and

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

(Continued to page No. – 2)

(2)

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/761/2022 is pending before DRT – III, Kolkata 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 22.12.2023 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 Punjab National Bank, North 24 Parganas Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Barasat, Kolkata – 700 124, the secured creditor and being satisfied, it is hereby ordered that Sri Lakshmi Kanta Roy, 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

and

Whereas Authorized Officer, Punjab National Bank, North 24 Parganas Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Barasat, 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 Lakshmi Kanta Roy, 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.


03/01/24
District Magistrate
North 24-Parganas.
21/1/24

Memo No. J-15013(11)/ 56 11/5/2023/JM

Date. - 03/01/2024

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 Lakshmi Kanta Roy, Executive Magistrate, in the Office of the District Magistrate, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Punjab National Bank, North 24 Parganas Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Barasat, Kolkata – 700 124.
5. Sri Bikash Dey, S/o. Late Netai Chandra Dey, residing at, 1 No. Hessire Riad (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124, having a Guarantor namely Sri Bivas De S/o. residing at, 1 No. Jessore Road, (South), Radha Krishna Apartment, Hathkhola More, Kolkata – 700 124.


District Magistrate
North 24-Parganas.
21/1/24

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

Whereas Authorized Officer, Canara Bank, Baguiati Branch, Hh/8, Manorama Kutir Ashwini Nagar, PO – Baguiati, PS – Baguiati, Kolkata – 700 059 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 Co-Borrower namely Sri Shib Sankar Ganguli S/o. Lt. Parimal Chandra Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028 of the Borrower namely Smt. Chhanda Ganguli W/o. Sri Shib Sankar Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028, having a Guarantor namely Sri Samir Sikdar S/o. Sri Satish Chandra Sikdar, residing at, Rajendra Manson, Block-A, Flat No.-8 (4th Floor), Helabattala, Hatiara Road, North 24 Parganas, Kolkata – 700 157. (Case No – 209/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Canara Bank, Baguiati Branch, Hh/8, Manorama Kutir Ashwini Nagar, PO – Baguiati, PS – Baguiati, Kolkata – 700 059 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. 12,00,000.00 (Rupees Twelve Lac Only) on 21.06.2011 to Borrower namely Smt. Chhanda Ganguli W/o. Sri Shib Sankar Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028, having a Co-Borrower namely Sri Shib Sankar Ganguli S/o. Lt. Parimal Chandra Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028, having a Guarantor namely Sri Samir Sikdar S/o. Sri Satish Chandra Sikdar, residing at, Rajendra Manson, Block-A, Flat No.-8 (4th Floor), Helabattala, Hatiara Road, North 24 Parganas, Kolkata – 700 157, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that one self-contained Flat bearing Flat No.- E-14 on the Fourth Floor at Southern side having super built up area 920 Square Feet more or less of the building lying and situated at Premises No. 8/2/36, Arabinda Sarani, Holding No. 8/2/36, Kolkata – 700 028, together with the undivided proportionate share of Bastu Landed property measuring an area more or less 4 Cottah 8 Chittacks 24 Square Feet more or less along with building lying and situated at Premises No. 8/2/36, Arabinda Sarani, under the local jurisdiction of Dum Dum, appertaining to Mouza – Dum Dum Cantonment, J.L.No. – 13, R.S.No – 177, Touzi No – 3194, L.R.Khatian Nos- 251, 257, 258 and 259, Dag No.- 2001(P), E.P. No.- 36, S.P. No.- 194, 195, 195/1, 195/2, L.R.Dag No – 2001, PS – Dum Dum, North 24 Parganas, PIN – 700 028. The property is Butted and Bounded by North – 18 ft. wide Arabinda Sarani, South – 8 Ft. wide Arabinda Sarani, East – Premises No. 8/2/35, Arabinda Sarani, West – 18 ft. wide Arabinda Sarani. The Mortgaged Property stands in the name of Sri Shib Sankar Ganguli S/o. Lt. Parimal Chandra Ganguli and being the registered Deed No. – 1 – 06086 for the year 2011 at the Office of the ADSRO – Cossipore Dum Dum, 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 30.06.2012 due to non servicing of interest/ installment

3) Notice dated 15.03.2018 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.22,76,543.27 (Rupees Twenty Two Lac Seventy Six Thousand Five Hundred Forty Three and Twenty Seven Paise) only and the demand notice was received by the borrower on 26.03.2018

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 15.03.2018

5) The Secured creditor issued possession notice dated 13.08.2018 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 17.08.2018

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)

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 21.11.2023 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 Canara Bank, Baguiati Branch, Hh/8, Manorama Kutir Ashwini Nagar, PO – Baguiati, PS – Baguiati, Kolkata – 700 059, the secured creditor and being satisfied, it is hereby ordered that Sri Kuntal Bose, 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, Canara Bank, Baguiati Branch, Hh/8, Manorama Kutir Ashwini Nagar, PO – Baguiati, PS – Baguiati, Kolkata – 700 059 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Kuntal Bose, 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.

8/1/24

Date - 03/01/2024


Memo No. J -15013(11)/ 59 /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 Kuntal Bose, 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, Canara Bank, Baguiati Branch, Hh/8, Manorama Kutir Ashwini Nagar, PO – Baguiati, PS – Baguiati, Kolkata – 700 059.
5. Smt. Chhanda Ganguli W/o. Sri Shib Sankar Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028, having a Co-Borrower namely Sri Shib Sankar Ganguli S/o. Lt. Parimal Chandra Ganguli, residing at, 8/2/36, Arabindo Sarani, Dum Dum, Kolkata – 700 028, having a Guarantor namely Sri Samir Sikdar S/o. Satish Chandra Sikdar, residing at, Rajendra Manson, Block-A, Flat No.-8, (4th Floor), Helabattala, Hatiara Road, North 24 Parganas, Kolkata – 700 157.


District Magistrate
North 24-Parganas.

8/1/24


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

Whereas Authorized Officer, Central Bank of India, DRM ER Sealdah Branch, Kaiser Street, Sealdah, PIN – 700 014 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 Smt. Santana Maraddi (Wife and Legal Heir of deceased Borrower Late Gobinda Hembram), residing at, Sachindra Apartment, Flat No. 2B, 106, Nalta Mahajati Road, PS – Dum Dum, Kolkata – 700 028. (Case No – 230/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Central Bank of India, DRM ER Sealdah Branch, Kaiser Street, Sealdah, PIN – 700 014 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. 12,00,000.00 (HBL) (Rupees Twelve Lac Only) on 13.02.2017 to Borrower namely Gobinda Hembram (since deceased), having a Legal Heir of him Smt. Santana Maraddi, residing at, Sachindra Apartment, Flat No. 2B, 106, Nalta Mahajati Road, PS – Dum Dum, Kolkata – 700 028, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of a residential Flat measuring a Super Built Up area more or less 620 Square Feet on the 2nd Floor, South-East-North Facing situated at Mouza – Sultanpur, R.S.Dag No – 207, R.S.Khatian No – 06, J.L.No – 10, Touzi No – 172, R.S. – 148, Flat No – 2B, 2nd Floor of G+II building, Sachindra Apartment, Holding No – 106, Nalta Mahajati Road, within the local jurisdiction of Dum Dum Municipality, PS – Dum Dum, Kolkata – 700 028. The property is Butted and Bounded by North – House of Dulal Roy & Others, South – House of Bimal Mallick & others, East – 4' ft wide private passage, West – House of Banerjee. The Mortgaged Property stands in the name of Smt. Santana Maraddi (Wife and Legal Heir of deceased Borrower Late Gobinda Hembram) and being the registered Deed No. – I – 190403307 for the year 2017 at the Office of the ARA – IV, Kolkata, W.B.
 - 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 01.05.2022 due to non servicing of interest/ installment
 - 3) Notice dated 04.05.2022 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.8,54,359.06 (Rupees Eight Lac Fifty Four Thousand Three Hundred Fifty Nine and Six Paise) only and the demand notice was published in two daily news papers on 14.05.2022
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 04.05.2022
 - 5) The Secured creditor issued possession notice dated 13.10.2022 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 16.10.2022
 - 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
- 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 26.12.2023 submitted by the secured creditor there is no stay declared by any court of law
- 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)

(2)

and

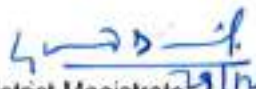
Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1) B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Central Bank of India, DRM ER Sealdah Branch, Kaiser Street, Sealdah, PIN – 700 014, the secured creditor and being satisfied, it is hereby ordered that Smt. Anamika Bera (Saha), 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, Central Bank of India, DRM ER Sealdah Branch, Kaiser Street, Sealdah, PIN – 700 014 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Smt. Anamika Bera (Saha), 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.

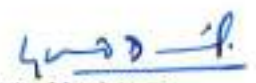

District Magistrate,
North 24 - Parganas.
25/11/23


Memo No. J -15013(11)/ 34 /1(5)/2023/JM

Date. - 02/01/2024

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. Anamika Bera (Saha), 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, Central Bank of India, DRM ER Sealdah Branch, Kaiser Street, Sealdah, PIN – 700 014.
5. Gobinda Hembram (Since deceased), having a Legal Heir of him Smt. Santana Mafaddi, residing at, Sachindra Apartment, Flat No. 2B, 106, Nalta Mahajati Road, PS – Dum Dum, Kolkata – 700 028.


District Magistrate
North 24-Parganas.
25/11/23


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

ORDER

Whereas Authorized Officer, Bank of Baroda, Tegharia Branch, Yamunotri Apartment, VIP Main Road (Opp. Haldiram), Kolkata – 700 052 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 Gouranga Das S/o. Sri Mantu Das, having a Co-Borrower namely Smt. Anita Oraon W/o. Sri Gouranga Das, both are residing at, Moitree Abasan, Flat No. – 5D, Holding No – 105, Naita Naba Mahajati Road, Mouza – Sultanpur, Landmark – PK Guha Road, Allahabad Bank, Near Kalimandir Auto Stop, Kolkata – 700 028. (Case No – 181/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Bank of Baroda, Tegharia Branch, Yamunotri Apartment, VIP Main Road (Opp. Haldiram), Kolkata – 700 052 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 (Rupees Ten Lac Only) on 15.12.2018 to Borrower namely Sri Gouranga Das S/o. Sri Mantu Das, having a Co-Borrower namely Smt. Anita Oraon W/o. Sri Gouranga Das, both are residing at, Moitree Abasan, Flat No. – 5D, Holding No – 105, Naita Naba Mahajati Road, Mouza – Sultanpur, Landmark – PK Guha Road, Allahabad Bank, Near Kalimandir Auto Stop, Kolkata – 700 028, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of a Flat being No. 5 D measuring an area more or less 600 Square Feet, on the East side on the Fifth Floor landed property measuring an area more or less 600 Square Feet situated on the landed property measuring an area more or less 10 Cottah, situated at Mouza – Sultanpur, J.L.No – 10, Re Sa No – 148, Touzi No – 173, C.S./R.S.Khatian No – 238, R.S.Dag No – 442/981, C.S.Dag No – 442, Holding No. – 105, Naita Naba Mahajati Road, PS – Dum Dum, Kolkata – 700 028. The property is Butted and Bounded by North – Municipal Road, South – Property Bose Bari and Others, East – Property of Late Bankim Basu Roy and Others West – Property of Chitta Ranjan Guha and Parimal Dutta The Mortgaged Property stands in the name of Sri Gouranga Das S/o. Sri Mantu Das and being the registered Deed No. – I – 150602748 the year 2019 at the Office of the AD&RO – Cossipore Dum Dum, North 24 Pargana, 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 31.05.2021 due to non servicing of interest/ installment

3) Notice dated 22.11.2021 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. 11,15,607.59 (Rupees Eleven Lac Fifteen Thousand Six Hundred Seven and Fifty Nine Paise) only and the demand notice was published in two daily news papers on 28.01.2022

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 22.11.2021

5) The Secured creditor issued possession notice dated 05.05.2022 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 06.05.2022

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 is 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 25.09.2023 submitted by the secured creditor 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 Bank of Baroda, Tegharia Branch, Yamunotri Apartment, VIP Main Road (Opp. Haldiram), Kolkata – 700 052, the secured creditor and being satisfied, it is hereby ordered that Sri Sri Kuntal Bose, 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, Bank of Baroda, Tegharia Branch, Yamunotri Apartment, VIP Main Road (Opp. Haldiram), Kolkata – 700 052 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Sri Kuntal Bose, 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.

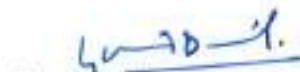

District Magistrate,
North 24 - Parganas.


Memo No. J-15013(11)/ 37 /1/(5)/2023/JM

Date. - 02/01/2024

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 Sri Kuntal Bose, W.B.C.S. (Exe.), 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, Bank of Baroda, Tegharia Branch, Yamunotri Apartment, VIP Main Road (Opp. Haldiram), Kolkata – 700 052.
5. Sri Gouranga Das S/o. Sri Mantu Das, having a Co-Borrower namely Smt. Anita Oraon W/o. Sri Gouranga Das, both are residing at, Mooltree Abasan, Flat No. – 5D, Holding No – 105, Nalta Naba Mahajati Road, Mouza – Sultanpur, Landmark – PK Guha Road, Allahabad Bank, Near Kalimandir Auto Stop, Kolkata – 700 028.


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, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 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 Director namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya, having another Director namely Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 and a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056, of the Borrower namely M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130. (Case No – 219/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 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. 1,50,00,000.00 (CC) (Rupees One Crore Fifty Lakh Only) on 26.09.2018 + Rs. 6,50,000.00 (Canara Vehicle Loan) (Rupees Six Lac Fifty Thousand Only) on 09.07.2019 + Rs. 15,00,000.00 (WCDL Loan) (Rupees Fifteen Lac Only) on 19.05.2020 + Rs. 29,00,000.00 (GECL) (Rupees Twenty Nine Lac) on 30.09.2020 to Borrower namely M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130, having Directors namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya & Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 having a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1A) All that EMT Shop measuring an area more or less 420 Sq. Ft. at Ground Floor of Housing Project namely "Milliniam Plaza" situated at J.L.No – 3, R.S.No – 17, Khatian No - 1164 of premises no. 11, New Panchanantala Road, within the local jurisdiction of Kamarhati Municipality, PS – Belghoria, Kolkata – 700 056. The property is Butted and Bounded by North – House of Hasi Bala, South – New Panchanantala Road, East – House of Saileshwar Banerjee, West – Municipal Road. The Mortgaged Property stands in the name of Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya and being the registered Deed No. – I – 07095 for the year 2004 at the Office of the ADSRO – Cossipore Dum Dum, North 24 Parganas, WB.

1B) All that EMT of Flat measuring an area more or less 817 Sq. Ft. on the Ground Floor of the Three Storied building consisting of 2 Bed Rooms, 1 Small Room, 1 Latrin, 1 Kitchen, at Mouza – Belghoria, being Premises No. 4/23, New Rathtala Govt. Colony, under the local jurisdiction of Kamarhati Municipality, PS – Belghoria, Holding No. – 232, Kolkata – 700 056. The Property is Butted and Bounded by North – House of Chinta Horan Karmakar, South – House of Amiya Prova Dutta Bhowmik, East – House of Late Madan Mohan Saha, West – Municipal Road. The Mortgaged Property stands in the name of Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar and being the registered Deed No. – I – 122 for the year 1999 at the Office of the ADSRO – Cossipore Dum Dum, 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 29.01.2023 due to non servicing of interest/ installment

3) Notice dated 10.04.2023 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.1,92,68,599.44 (Rupees One Crore Ninety Two Lac Sixty Eight Thousand Five Hundred Ninety Nine and Forty Four Paise) only and the demand notice was received by the borrower on 13.04.2023 & 19.04.2023

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 10.04.2023

5) The Secured creditor issued possession notice dated 20.07.2023 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 22.07.2023

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

(Continued to page No. – 2)

(2)

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 19.12.2023 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 Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129, the secured creditor and being satisfied, it is hereby ordered that Sri Kuntal Bose, 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, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Kuntal Bose, 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.

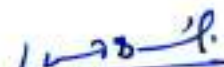

District Magistrate,
North 24 - Parganas.
29/1/23

Memo No. J-15013(11)/ 35 /1/(5)/2023/JM

Date - 02/01/2024

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 Kuntal Bose, 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, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129.
5. M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130, having Directors namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya & Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 having a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o.Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056.


District Magistrate
North 24-Pargana19
29/1/23


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

Whereas Authorized Officer, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 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 Director namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya, having another Director namely Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 and a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056, of the Borrower namely M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130. (Case No – 235/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 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. 1,50,00,000.00 (CC) (Rupees One Crore Fifty Lakh Only) on 26.09.2018 + Rs. 6,50,000.00 (Canara Vehicle Loan) (Rupees Six Lac Fifty Thousand Only) on 09.07.2019 + Rs. 15,00,000.00 (WCDL Loan) (Rupees Fifteen Lac Only) on 19.05.2020 + Rs. 29,00,000.00 (GECL) (Rupees Twenty Nine Lac) on 30.09.2020 to Borrower namely M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130, having Directors namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya & Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 having a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that EMT of Flat on 10H on the 10th Floor of the building being Block- 2 together with one covered car parking space of the Housing Project namely "Avani Oxford II" measuring about 1472 Sq.ft. (Super Built up) at Mouza- Patipukur and Krishnapur, J.L.Nos. 24 and 17, RS No- 3 and 180 being premises no. 136, Jessore Road, PS – Lake Town, under the local jurisdiction of South Dum Dum Municipality, North 24 Parganas, Kolkata – 700 055. The Property is Butted and Bounded by North – Jessore Road & Godown, South – 12 ft. wide common passage & the Multistoried building, East – Multistoried Building, West – Multistoried Building. The Mortgaged Property stands in the name of Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya and being the registered Deed No. – I – 8960 for the year 2014 and the deed is registered at the office of A.D.S.R- Bidhannagar, 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 29.01.2023 due to non servicing of interest/ installment
 - 3) Notice dated 10.04.2023 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.1,92,68,599.44 (Rupees One Crore Ninety Two Lac Sixty Eight Thousand Five Hundred Ninety Nine and Forty Four Paise) only and the demand notice was received by the borrower on 13.04.2023 & 19.04.2023
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 10.04.2023
 - 5) The Secured creditor issued possession notice dated 20.07.2023 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 22.07.2023
 - 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

(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) 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 19.12.2023 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 Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129, the secured creditor and being satisfied, it is hereby ordered that Smt. Farhanaz Khanam, 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, 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, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129 shall intimate the date of possession of the secured asset to the Commissioner of Police, Bidhannagar, North 24 - Parganas, as well as to, Smt. Farhanaz Khanam, 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, 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, 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.

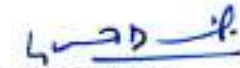
21/1/24

Date. - 03/01/2024

Memo No. J -15013(11)/ 62 11/5/2023/JM

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Bidhannagar, 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. Smt. Farhanaz Khanam, Executive Magistrate, in the Office of the Sub Divisional Officer, Bidhannagar North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Canara Bank, Madhyamgram Branch, Barasat Road, Near Kalibari, PS – Madhyamgram, Kolkata – 700 129.
5. M/s. Innitor Power Solutions Pvt. Ltd, situated at, 118/22, Kapasia, PO – Taldharia, PS – Duttapukur, North 24 Parganas, Kolkata – 700 130, having Directors namely Sri Tapas Bhattacharya S/o. Sri Dulal Bhattacharya & Smt. Kanta Bhattacharya W/o. Sri Tapas Bhattacharya, both are residing at, Avani Oxford Phase – 2, 136, Jessore Road, Block-2, Flat No.- 10H, Bangur Avenue, PS – Lake Town, North 24 Parganas, Kolkata – 700 055 having a Guarantor & Mortgagor namely Smt. Swapna Talukdar W/o. Sri Ranjan Talukdar, residing at, 4/20, New Rathtala, Kamarhati (M), PS – Belghoria, Kolkata – 700 056.


District Magistrate
North 24-Parganas
21/1/24



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

ORDER

Whereas Authorized Officer, Indiabulls Commercial Credit Limited, 3rd Floor, Bangur BFL Estate, 31, Chowringhee Road, 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 Kailashiddhi Vanijya Private Limited, situated at, 37 A, Bentinct Street, 2nd Floor, Room No. 215, Kolkata – 700 069, having Directors namely Sri Om Prakash Bhartia, Sri Nikunj Bhartia, both are residing at, 640, Diamond Harbour Road, New Alipore, Block – O, Circus Avenue, Kolkata – 700 053. (Case No – 12/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Indiabulls Commercial Credit Limited, 3rd Floor, Bangur BFL Estate, 31, Chowringhee Road, 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 the secured creditor granted a loan Rs. 5,02,53,084.00 (Rupees Five Crore Two Lac Fifty Three Thousand and Eighty Four Only) on 15.12.2017 to Borrower namely Kailashiddhi Vanijya Private Limited, situated at, 37 A, Bentinct Street, 2nd Floor, Room No. 215, Kolkata – 700 069, having Directors namely Sri Om Prakash Bhartia, Sri Nikunj Bhartia, both are residing at, 640, Diamond Harbour Road, New Alipore, Block – O, Circus Avenue, Kolkata – 700 053, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of Office Space measuring an area more or less 4547 Square Feet of Super Built Up area and covered car parking space measuring an area more or less 526 Square Feet of Super Built up area totaling more or less 5073 Square Feet being entire Ground Floor and Office Space measuring an area more or less 5073 Square Feet being entire First Floor of the Building known as "Lalita Ganges" constructed on Landed property measuring an area more or less 11 Cottahs 13 Chittacks together with structure standing thereon Mouza – Gouripur, L.R.Khatian No – 1620, C.S. & R.S.Dag No – 1003(P), L.R.Dag No – 713, at being Municipal Holding No. 115/133, Jessore Road, Under the local jurisdiction of North Dum Dum Municipality, PS – Dum Dum Airport, Kolkata – 700 081. The Building is Butted and Bounded by North – Factory Land, South – Land Under S/P No. 7/1 & S.P No. 7/1A, East – 20 Feet Wide Passage, West – Factory Land. Mortgaged Property stands in the name of Kailashiddhi Vanijya Private Limited and being the registered Deed No – I – 190406539 for the year 2016 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 17.10.2019 due to non servicing of interest/ installment

3) Notice dated 18.10.2019 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. 5,46,13,520.00 (Rupees Five Crore Forty Six Lac Thirteen Thousand Five Hundred and Twenty) Only. The Demand notice was published in two daily news papers on 05.11.2019

4) The Authorised Officer of the secured creditor received representation (vide dated 28.01.2020) on 28.01.2020 from the borrowers in reply to demand notice u/s 13(2), which was duly replied by the secured creditor on 11.02.2020

5) The Secured creditor issued possession notice dated 18.07.2022 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 22.07.2022

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 is 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 05.12.2023 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

(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 Indiabulls Commercial Credit Limited, 3rd Floor, Bangur BFL Estate, 31, Chowringhee Road, Kolkata - 700 016, the secured creditor and being satisfied, it is hereby ordered that Smt. Farhanaz Khanam, 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, 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, Indiabulls Commercial Credit Limited, 3rd Floor, Bangur BFL Estate, 31, Chowringhee Road, Kolkata - 700 016 shall intimate the date of possession of the secured asset to the Commissioner of Police, Bidhannagar, North 24 - Parganas, as well as to, Smt. Farhanaz Khanam, 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, 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, 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.


21/1/24

Date. - 05/01/2024

Memo No. J -15013(11)/ 101 /11(5)/2024/JM

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Bidhannagar, 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. Smt. Farhanaz Khanam, Executive Magistrate, in the Office of the Sub Divisional Officer, Bidhannagar North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Indiabulls Commercial Credit Limited, 3rd Floor, Bangur BFL Estate, 31, Chowringhee Road, Kolkata - 700 016.
5. Kailashsiddhi Varijya Private Limited, situated at, 37 A, Bentinct Street, 2nd Floor, Room No. 215, Kolkata - 700 069, having Directors namely Sri Om Prakash Bhartia, Sri Nikunj Bhartia, both are residing at, 640, Diamond Harbour Road, New Alipore, Block - O, Circus Avenue, Kolkata - 700 053.


District Magistrate
North 24-Parganas.

21/1/24