



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

ORDER

Whereas Authorized Officer, Ujjivan Small Finance Bank Ltd, Rishi Tech Park, 4th Floor, Premises No. 02.0360, Plot No. DH-6/2, Action area ID, New Town, PO – Rajarhat, PS – New Town (Old Rajarhat), Kolkata – 700 160 has filed a petition u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Co-borrower & Mortgagor namely Sri Julfikar Purokait S/o. Sri Ali Ahammad Purakarit, residing at, Chourashi, Simulia, North 24 Parganas, PIN– 743 424 having a Co-Borrower namely Smt. Sahanara Bibi W/o. Sri Ali Ahammad Purakait of the Borrower namely Sri Firoj Ali S/o. Sri Ali Ahammad Purokait, all are residing at, Chourashi, Simulia, North 24 Parganas, PIN – 743 425 . (Case No – 49/24/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Ujjivan Small Finance Bank Ltd, Rishi Tech Park, 4th Floor, Premises No. 02.0360, Plot No. DH-6/2, Action area ID, New Town, PO – Rajarhat, PS – New Town (Old Rajarhat), Kolkata – 700 160, 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. 8,20,000.00 (Rupees Eight Lac Twenty Thousand Only) on 31.08.2019 to Borrower namely Sri Firoj Ali S/o. Sri Ali Ahammad Purokait, having a Co-borrower & Mortgagor namely Sri Julfikar Purokait S/o. Sri Ali Ahammad Purakarit, having another Co-Borrower namely Smt. Sahanara Bibi W/o. Sri Ali Ahammad Purakait, all are residing at, Chourashi, Simulia, North 24 Parganas, PIN – 743 425, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of a landed property measuring an area more or less 10 Decimal together with structure standing thereon forming part of Dag No. 1243, under Sabek Khatian Nos. 288, 276 & 262 and corresponding to Krishi Khatian No. 316, 109, corresponding to Malik Khatian No. 150, 174 & 159, J.L.No – 60, Mouza – Simulia, Under PS – Deganga, North 24 Parganas. The Mortgaged Property stands in the name of Sri Julfikar Purokait S/o. Sri Ali Ahammad Purakarit and being the registered Deed No. – I – 6980 for the year 1987 and the deed is registered at the office of SR - Deganga, 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 30.01.2021 due to non servicing of interest/ installment

3) Notice dated 22.07.2021 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 10,67,838.55 (Rupees Ten Lac Sixty Seven Thousand Eight Hundred Thirty Eight and Fifty Five Paise) only and the demand notice was received by the borrower on 28.07.2021.

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 22.07.2021.

5) Secured creditor issued possession notice dated 06.05.2022 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 09.05.2022

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 affidavits 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

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(2)
and

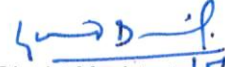

Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1)B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Ujjivan Small Finance Bank Ltd, Rishi Tech Park, 4th Floor, Premises No. 02.0360, Plot No. DH-6/2, Action area ID, New Town, PO – Rajarhat, PS – New Town (Old Rajarhat), Kolkata – 700 160, 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, Ujjivan Small Finance Bank Ltd, Rishi Tech Park, 4th Floor, Premises No. 02.0360, Plot No. DH-6/2, Action area ID, New Town, PO – Rajarhat, PS – New Town (Old Rajarhat), Kolkata – 700 160, will intimate the date of possession of the secured asset to 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.


Memo No. J -15013(11)/ 477 11/(5)/2024/JM

Date. - 16 10 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, Ujjivan Small Finance Bank Ltd, Rishi Tech Park, 4th Floor, Premises No. 02.0360, Plot No. DH-6/2, Action area ID, New Town, PO – Rajarhat, PS – New Town (Old Rajarhat), Kolkata – 700 160.
5. Sri Firoj Ali S/o. Sri Ali Ahammad Purokait, having a Co-borrower & Mortgagor namely Sri Julfikar Purokait S/o. Sri Ali Ahammad Purakarit, having another Co-Borrower namely Smt. Sahanara Bibi W/o. Sri Ali Ahammad Purakait, all are residing at, Chourashi, Simulia, North 24 Parganas, PIN – 743 425.


District Magistrate
North 24-Parganas.
