



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



ORDER

Whereas Authorized Officer, Indian Bank (Erstwhile Allahabad Bank), SAM Large Branch, 1st Floor, 14, India Exchange Place, Kolkata – 700 001 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 Director & Guarantor namely Sri Amitava Dey S/o. Late Paresh Chandra Dey & Guarantor namely Minu Dey W/o. Late Paresh Chandra Dey, having another Director & Guarantor namely Smt. Sushmita Dutta Dey, of the Borrower namely M/s. P.C.Dey and Son Distributors Private Limited, all are residing and situated at, 330, Jessore Road, Deshbandhu Park, PO – Habra, North 24 Parganas, PIN – 743 263. (Case No – 02/23/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Indian Bank (Erstwhile Allahabad Bank), SAM Large Branch, 1st Floor, 14, India Exchange Place, Kolkata – 700 001, 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. 12,00,00,000.00 (CC) (Rupees Twelve Crore Only) on 28.01.2020, Rs. 9,00,00,000.00 (WCTL) (Rupees Nine Crore Only) on 28.01.2020 & Rs. 85,24,000.00 (Rupees Eighty Five Lac Twenty Four Thousand Only) on 28.01.2020 to Borrower namely M/s. P.C.Dey and Son Distributors Private Limited, having Directors & Guarantors namely Sri Amitava Dey S/o. Late Paresh Chandra Dey & Smt. Sushmita Dutta Dey, having Guarantor namely Smt. Minu Dey W/o. Late Paresh Chandra Dey, all are residing and situated at, 330, Jessore Road, Deshbandhu Park, PO – Habra, North 24 Parganas, PIN – 743 263, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1A) All that piece and parcel of landed property measuring an area more or less 11.362 Decimals of Land more or less along with structure thereon of area 3379 Square Feet on the Ground floor (300 Sq. ft. tiles flooring commercial place and 3079 Sq. Ft. cemented flooring semi commercial place) and 1646 Sq. Ft. on the 1st Floor (tiles flooring semi commercial place) total structure area 5025 sq. ft. more or less constructed thereon at Mouza – Habra, J.L.No – 71, Re Su No. – 313, Touzi No – 14, R.S.Dag No – 2531, R.S.Khatian No – 1978, corresponding to L.R.Dag No. 1933, L.R.Khatian No – 2315, (pertaining to land area of 05.50 decimals Dokan land out of 11.362 Decimals) R.S.Dag No. – 2533, R.S.Khatian No – 1057, corresponding to L.R.Dag No – 2717, L.R.Khatian no. 2316 & 2317, (pertaining to land area of 05.862 decimals Bastu land out of 11.362 Decimals) under Habra Municipality, Holding No. 47/1, Jessore Road, PO & PS – Habra, North 24 Parganas, PIN – 743 263, Deed No. – 150802929 dated 15/06/2015 registered with ADSRO- Habra in Book No. 1, CD Volume No. 1508-2015, pages 13195 to 13234. The property stands in the name of Sri Amitava Dey S/o. Late Paresh Chandra Dey. The Property is butted and bounded by North – 30'-00" Jessore Road and Land of Swapan Biswas, South – Vendors land i.e. Scheme Plot – "B", In the East – Land of Ashim Biswas, Swapan Biswas and Mukti Rani Das, West – Land of Tapati Dutta.

1B) All that piece and parcel of Bastu Landed property measuring about 01 Cottah 13 Chittack 04 Sq. Ft. or 3 Satak more or less along with 1150 Sq. Ft. building thereon at Mouza – Habra, JL No. – 72, Re Su No – 313, Touzi No – 442, R.S.Khatian No – 764, R.S.Dag No – 1260, Under Habra Municipality, Holding No. 178/153, Jessore Road, PO & PS – Habra, North 24 Parganas, PIN – 743 263, Deed No. – 4212 for the year 2008, registered at ADSRO – Habra. The Property stands in the name of Sri Amitava Dey S/o. Late Paresh Chandra Dey. The property is Butted and Bounded by North – Railway Land, South – PWD Land and then Jessore Road, East – Land of Amitava Dey, then Victor Saha and Property of Jiban Parui, West – Land of Amitava Dey alongwith 1 ft. 6" wide pacca drain and house of Trinath Tapaswi.

1C) All that piece and parcel of Landed property measuring about 0.065 Satak or 13 Chittack 25 Sq. Ft. or 610 Sq. Ft. more or less and old two storied building at Mouza - Hijalpukuriya, JL No.- 80, Re Su No.- 312, Touzi No – 2167, R.S.Khatian No – 2062, C.S.Dag No – 290, R.S.Dag No – 2524 under Habra Municipality, PO & PS – Habra, North 24 Parganas, PIN – 743 263, Deed No. – 1369 for the year 1992, registered at ADSRO – Habra. The Property still stands in the name of Paresh Chandra Dey (Since deceased). The property is butted and bounded by North – Land of Sumitra Sandhukhan and Sharmistha Sandhukhan, South – Goli No. 3 of Habra Bazar, East – Land of Sumitra Sandhukhan and Sharmistha Sandhukhan, West – Jessore Road.

1D) All that piece and parcel of landed property measuring an area more or less 19.85 Satak more or less at Mouza – Hijalpukuriya, JLNo.- 80, Re Su No. – 312, Touzi No – 2167, (Khatian No. – 1694, C.S.Dag No – 29, R.S.Dag No – 39 area of land 11 Satak) (Khatian No. 2064, C.S.Dag No – 28, R.S.Dag No – 42, area of landed property 2.25 and 0.16 (Satak) (C.S. Dag No – 29, R.S.Dag No and L.R.Dag No – 39 area of land 0.84 Satak) under Habra Municipality, PO & PS – Habra, North 24 Parganas, PIN – 743 263, Deed No.4249 for the year 2014 registered at, ADSRO – Habra. The property stands in the name of The Property still stands in the name of Paresh Chandra Dey (Since deceased). The property is butted and bounded by North – Land of Sri Krishna Sangha, South – Land of Vendors, East – Plot No. A and Land of Dag No. – 50, West – Land of Dag No. 42.

1E) All that piece and parcel of landed property measuring an area more or less 07 Satak or 04 Cottah 10 Chittack 12 Square Feet more or less alongwith construction thereon at Mouza – Habra, J.L.No – 72, Re. Su – 313, Touzi No – 442, C.S.Dag No – 1124, Hal Dag No – 1279, Khatian No – 196, Hal Khatian No – 883 under Habra Municipality, Jessore Road, PO & PS – Habra, North 24 Parganas, PIN – 743 263, Deed No. – 3369 for the year 1987, registered at ADSRO – Habra. The property stands in the name of The Property still stands in the name of Paresh Chandra Dey (Since deceased). The property is Butted and Bounded by North – Jessore Road and PWD Land, South – Land of Smt. Minu Dey, East – 7 feet wide common passage, West – Indian Oil Petrol Pump.

1F) All that part and parcel of property C-4 measuring an area more or less 482 Sq. Ft. godown more or less under at Mouza – Hijalpukuriya, JL No.- 80, Re Su No.- 312, Touzi No – 2167, Khatian No – 260, R.S.Khatian No – 942, C.S.Dag No – 245, R.S.Dag No – 2894, Under Habra Municipality, Holding No – 129, PO & PS – Habra, North 24 Parganas, PIN – 743 263. Deed No.- 1558 for the year 1997 registered at ADSRO, Barasat. The property stands in the name of Smt. Minu Dey W/o. Late Paresh Chandra Dey. The Property is Butted and Bounded by North – Common Passage, South – House of Sri Ramakrishna Saha and Others, East – Room No. C-5, West – Room No. C-3.

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 28.01.2020 due to non servicing of interest/ installment

3) Notice dated 13.09.2022 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 28,84,25,827.25 (Rupees Twenty Eight Crore Eighty Four Lac Twenty Five Thousand Eight Hundred Twenty Seven and Twenty Five Paise) only and the demand notice was received by the borrower on 14.09.2022.

(Continued to page No. – 2)

- 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 13.09.2022.
 5) The Secured creditor issued possession notice dated 17.11.2022 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 19.11.2022
 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 in within the jurisdiction of the District Magistrate, North 24- Parganas

and

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

and

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

and

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

and

- 11) SA No. 177/2022 pending before the 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

- 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 Indian Bank (Erstwhile Allahabad Bank), SAM Large Branch, 1st Floor, 14, India Exchange Place, Kolkata – 700 001, the secured creditor and being satisfied, it is hereby ordered that Sri Rajib Sardar, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, under the District Magistrate North 24 Parganas will take physical possession of the secured assets/property and forward the same to the secured creditors u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, Indian Bank (Erstwhile Allahabad Bank), SAM Large Branch, 1st Floor, 14, India Exchange Place, Kolkata – 700 001, will intimate the date of possession of the secured asset to the The Superintendent of Police, Barasat Police District, as well as to, Sri Rajib Sardar, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, well in advance to take physical possession of the secured assets/Property of the secured creditor on behalf of District Magistrate, North 24- Parganas, the The Superintendent of Police, Barasat Police District, will provide police force for maintenance of law & order. The secured creditor will remain present at the time of taking over physical possession

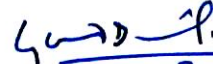
A spot videography should be made in Connection with taking over physical possession of secured assets, on the date of taking over possession and soft copy of the videography should be kept under custody
 Let copy of this order be served upon all concerned.

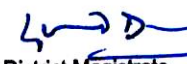
The order is to be enforced within 06 (Six) months from the date of receipt of this order.

Memo No. J -15013(11)/ 2910 11(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. Sri Rajib Sardar, Executive Magistrate, in the Office of the District Magistrate, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Indian Bank (Erstwhile Allahabad Bank), SAM Large Branch, 1st Floor, 14, India Exchange Place, Kolkata – 700 001.
5. M/s. P.C.Dey and Son Distributors Private Limited, having Directors & Guarantors namely Sri Amitava Dey S/o. Late Paresh Chandra Dey & Smt. Sushmita Dutta Dey, having Guarantor namely Smt. Minu Dey W/o. Late Paresh Chandra Dey, all are residing and situated at, 330, Jessore Road, Deshbandhu Park, PO – Habra, North 24 Parganas, PIN – 743 263.


 District Magistrate 30/07/23
 North 24-Parganas.
 Date. - 17/10/2023


 District Magistrate
 North 24-Parganas.
 21/9/23

