



GOVERNMENT OF WEST BENGAL
OFFICE OF THE DISTRICT MAGISTRATE
NORTH 24 PARGANAS, BARASAT
(DISASTER MANAGEMENT & CIVIL DEFENCE SECTION)

ORDER

Whereas Authorized Officer Punjab National Bank, North 24 Parganas, Circle Sastra, 48A Jessore Road Barasat, (Near Seth Pukur), Dist- North 24-Parganashas, Kolkata-700124, has filed a petition to the District Magistrate, North 24-Parganas, u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Borrower & Guarantor namely Sri Sankar Mondal, S/O- Anil Mondal, residing at 516/4/749/10, Rahuta Road, Near Joramondir, Ward No-28, Bhatpara Municipality, East Rahuta, P.O- Shyamnagar, P.S- Jagaddal, Dist- North 24 Parganas, Pin-743127. (Case No. -23/24 dt. 12.02.24)
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, 48A Jessore Road, Barasat (Near Seth Pukur), Dist- North 24-Parganashas, Kolkata-700124, 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.5,00,000.00 (Rupees Five Lakhs) only on 25.01.2017 & Rs 53,000.00 (Rupees Fifty Three Thousand) only on 29.06.2020 & Rs. 95,000.00 (Rupees Ninety Five Thousand) only on 12.06.2021 to Borrower & Guarantor namely Sri Sankar Mondal, S/O- Anil Mondal, residing at 516/4/749/10, Rahuta Road, Near Joramondir, Ward No-28, Bhatpara Municipality, East Rahuta, P.O- Shyamnagar, P.S- Jagaddal, Dist- North 24 Parganas, Pin-743127, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of Bastu Land with building thereon measuring about 1501 Sq.ft or 3.44 Satak or 2 Katha 1 Chittak 16 Sq.ft. lying and situated at Mouza- Rahuta, JL No-22, Hal Touzi No-3, R.S Khatian 362 , LR Khatian 926, new Own LR Khatian-1889 (as per Mutation Certificate) LR Dag No-1340, marked as Plot No-19 under the Local Jurisdiction of Bhatpara Municipality, P.S- Jagaddal ,Dist-North 24 Parganas. The Property is Butted and Bounded by North –Plot No 20 ,South –Plot No 18,East – Own house and plot no-21, West –10 ft wide common Road.The Mortgaged Property stands in the name of Sri Sankar Mondal,S/O- Anil Mondaland being the registered Deed No .I –520 on 19th February, 2007 at the Office of the A.D.S.R.O – Naihati, North 24 Parganas.
- 2) The borrower has committed default in repayment of the financial assistance granted aggregating the specified amount and consequent to such default in repayment, the account of borrower was classified as NPA on 03.01.2022 due to non servicing of interest/ instalment.
- 3) Notice dated 21.03.2022 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.6,63,812.00(Rupees Six Lakhs Sixty Three Thousand Eight Hundred Twelve) Only. The Demand notice was received by the borrower on 25.03.2022.
- 4) The Authorised Officer of the secured creditor received no representation from the borrowers in reply to demand notice u/s 13(2), dated 21.03.2022.
- 5) The Secured creditor issued possession notice dated 28.07.2022 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 31.07.2022.
- 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 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

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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

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 A, Jessore Road, Barasat, Near Seth Pukur, Dist-24 Pgs North, Kolkata-700124, the secured creditor and being satisfied, it is hereby ordered that Sri Pinaki Sankar Biswas, W.B.C.S, 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, under the District Magistrate North 24 Parganas will take physical possession of the secured assets/property and forward the same to the secured creditor u/s 14 (1A) of SARFAESI act. 2002.

And

Whereas Authorized Officer, Punjab National Bank, North 24 Parganas, Circle Sastra, 48 A, Jessore Road, Barasat, Near Seth Pukur, Dist-24 Pgs North, Kolkata-700124, shall intimate the date of possession of the secured asset to The Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Pinaki Sankar Biswas W.B.C.S, 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 16/04/24
North 24-Parganas. 

Memo No. Dist/(D.M)/Sarfaesi 609/1(15)

Date. 26-02-2024

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 Pinaki Sankar Biswas, W.B.C.S Executive Magistrate, in the Office of the Sub-Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
4. The Authorized Officer, Punjab National Bank, North 24 Parganas, Circle Sastra, 48 A, Jessore Road, Barasat, (Near Seth Pukur, Dist-24 Pgs North, Kolkata-700124.
5. Sri Sankar Mondal, S/O- Anil Mondal, residing at 516/4/749/10, Rahuta Road, Near Joramondir, Ward No-28, Bhatpara Municipality, East Rahuta, P.O- Shyamnagar, P.S- Jagaddal, Dist- North 24 Parganas, Pin-743127.


District Magistrate
North 24-Parganas

