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

Whereas Authorized Officer, Central Bank of India, Salt Lake Branch, DD-13-18, Salt Lake City, Sector – 1, Kolkata – 700 064, has filed a petition to the District Magistrate, North 24-Parganas, u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Borrower namely M/s. Simoco Telecommunications (South Asia) Ltd., Godrej Genesis Building (2<sup>nd</sup> Floor), Block – EP & GP, Sector- 5, Salt lake Electronics Complex, Bidhannagar, Kolkata – 700 091, having two directors namely Sri Prosenjit Mukherjee & Sri Mithun Mukherjee, having a Director & Guarantor namely Sri Sanjay Kumar Ghosh S/o. Late Tarak Chandra Ghosh, residing at, 20/3, J.N.Chowdhury Road, Hooghly, Chinsura (M), Chinsura, Hooghly, PIN – 712 101. (Case No – 231/23/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, Salt Lake Branch, DD-13-18, Salt Lake City, Sector – 1, Kolkata – 700 064 seeking administrative assistance in terms of sec 14(1) of the SARFAESI Act of 2002 for taking over physical possession of the secured asset is/are seen and taken up for consideration

and

whereas from the documents and status report submitted by the Authorised Officer, it transpires that the secured creditor granted a loan/renew Rs. 6,89,00,000.00 (OD Cent Mortgage Business) (Rupees Six Crore Eighty Nine Lakh Only) on 23.12.2022 + Rs. 1,62,66,000.00 (FITL) (Rupees One Crore Sixty Two Lakh Sixty Six Thousand Only) + Rs. 1,06,57,000.00 (WCTL) (Rupees One Crore Six Lac Fifty Seven Thousand Only) to Borrower namely M/s. Simoco Telecommunications (South Asia) Ltd., Godrej Genesis Building (2<sup>nd</sup> Floor), Block – EP & GP, Sector- 5, Salt lake Electronics Complex, Bidhannagar, Kolkata – 700 091, having two directors namely Sri Prosenjit Mukherjee & Sri Mithun Mukherjee, having a Director & Guarantor namely Sri Sanjay Kumar Ghosh S/o. Late Tarak Chandra Ghosh, residing at, 20/3, J.N.Chowdhury Road, Hooghly, Chinsura (M), Chinsura, Hooghly, PIN – 712 101, against the all the mortgaged piece and parcel of landed property as follows:

**SCHEDULE OF PROPERTY**

1) \*All that piece and parcel of Equitable mortgage of a self contained commercial office space no. – 3 on the 3<sup>rd</sup> floor measuring an area more or less 7954.62 square feet of the multistoried building namely Godrej Genesis I.T.Park” underneath of the proportionate share of the landed property lying and situated at Plot No. XI-9, 10,13 & 14 in Block EP & GP Sector – V, Salt Lake City, under PS – Electronics Complex, Salt Lake, Kolkata – 700 091, Assessee No. 0133, A.D.S.R - Bidhannagar, D.R.Office, Barasat, Under North 24 Parganas. The Property is Butted and Bounded by North – Terrace for office space no. - 2, South – Office Space No. 4, East – Office Space No. 1, West – Lift Lobby. The Mortgaged Property stands in the name of M/s. Simoco Telecommunications (South Asia) Ltd and the mortgage done through registered Deed No. – I – 08841 for the year 2013 at the Office of the ARA – II, Kolkata & extension of mortgage done through registered Dee No. \_I\_ 190408416 for the year 2022 at the Office of the ARA-IV, Kolkata, 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 01.05.2023 due to non servicing of interest/ installment

3) Notice dated 02.05.2023 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.9,40,94,330.69 (Rupees Nine Crore Forty Lac Ninety Four Thousand Three Hundred Thirty and Sixty Nine Paise) Only. The Demand notice was received by the borrower on 06.05.2023, 06.05.2023 & 10.05.2023.

4) The Authorised Officer of the secured creditor received representation on 31.07.2023 & via mail on 27.07.2023 from the borrowers in reply to demand notice u/s 13(2), which was duly replied by the secured creditor on 05.08.2023

5) The Secured creditor issued possession notice dated 16.08.2023 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 22.08.2023

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

**(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) 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 leese/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 Central Bank of India, Salt Lake Branch, DD-13-18, Salt Lake City, Sector – 1, Kolkata – 700 064, 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, Central Bank of India, Salt Lake Branch, DD-13-18, Salt Lake City, Sector – 1, Kolkata – 700 064 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.

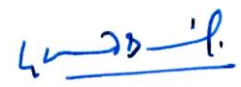
  
District Magistrate  
North 24-Parganas.  
29/1/23

Memo No. J -15013(11)/ 33 /11(5)/2023/JM

Date. - 02/01/2024

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, Central Bank of India, Salt Lake Branch, DD-13-18, Salt Lake City, Sector – 1, Kolkata – 700 064.
5. M/s. Simoco Telecommunications (South Asia) Ltd., Godrej Genesis Building (2<sup>nd</sup> Floor), Block – EP & GP, Sector- 5, Salt lake Electronics Complex, Bidhannagar, Kolkata – 700 091, having two directors namely Sri Prosenjit Mukherjee & Sri Mithun Mukherjee, having a Director & Guarantor namely Sri Sanjay Kumar Ghosh S/o. Late Tarak Chandra Ghosh, residing at, 20/3, J.N.Chowdhury Road, Hooghly, Chinsura (M), Chinsura, Hooghly, PIN – 712 101.

  
District Magistrate  
North 24-Parganas  
29/1/23