
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, Eastern Regional Office, 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 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 Ujjal Pramanik S/o. Sri Karthik Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club, PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114 having a Co-Borrower namely Smt. Saraswati Pramanik W/o. Sri Ujjal Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114. (Case No – 193/23/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, Eastern Regional Office, 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 secured creditor granted a loan Rs. 3,00,000.00 (Rupees Three Lac) on 17.12.2018 + Rs. 10,00,000.00 (Rupees Ten Lac Only) on 26.09.2018 to Borrower namely Sri Ujjal Pramanik S/o. Sri Karthik Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club, PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114 having a Co-Borrower namely Smt. Saraswati Pramanik W/o. Sri Ujjal Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114 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 the property situated at Flat admeasuring super built up area 550 Square Feet be the same a little more or less on the 2 floor of the multi storied building commonly known as "Shibham Apartment" built and constructed on the piece and parcel of a plot of Bastu landed property measuring an area more or less 06 Cottahs 10 Chittacks 22 Square Feet be a same a little more or less, lying and situated at Mouza – Panihati and comprised in R.S.Dag No – 118/841 & 118/842 under R.S.Khatian No – 186, J.L.No – 10 (Old 108), Touzi No – 155, Re Su No – 32 and bearing Municipal Holding No. 138, Thakur Nitya Gopal Road under the local jurisdiction of Panihati Municipality, PS – Khardah, North 24 Parganas, PIN – 700 114. The Property is Butted and Bounded by North – 12 ft wide Nitya Gopal road and common space and thereafter others property, South – Common space and thereafter others property, East – Staircase, lift and common corridors, West – 22ft wide Nitya Gopal Road. The Mortgaged Property stands in the name of Sri Ujjal Pramanik S/o. Sri Karthik Pramanik and being the registered Deed No. – I – 150100536 the year 2016 at the Office of the DSR – I, 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 15.06.2021 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. 3,63,304.00 (Rupees Three Lac Sixty Three Thousand Three Hundred and Four) & Rs. 11,41,156.00 (Rupees Eleven Lac Forty One Thousand One Hundred and Fifty Six) only and the demand notice was received by the Borrower on 30.06.2021
 - 4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 15.06.2021
 - 5) The Secured creditor issued possession notice dated 17.02.2022 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 23.02.2022
 - 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

(Continued to page No. – 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 30.11.2023 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 Ujjivan Small Finance Bank Ltd, Eastern Regional Office, 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 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, Ujjivan Small Finance Bank Ltd, Eastern Regional Office, 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 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.
31/11/23

Date. - 13 / 12 / 2023

Memo No. J -15013(11)/ 3169 11/5/2023/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, Ujjivan Small Finance Bank Ltd, Eastern Regional Office, 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 Ujjal Pramanik S/o. Sri Karthik Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club, PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114 having a Co-Borrower namely Smt. Saraswati Pramanik W/o. Sri Ujjal Pramanik, residing at, 2nd Floor, B/2, Shibham Apartment, 138, Thakur Nitya Gopal Road, Near Ankur Club PO – Panihati, PS – Khardah, Ward No – 3, Under Panihati Municipality, Kolkata – 700 114.


District Magistrate
North 24-Parganas.
31/11/23