



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

ORDER

Whereas Authorized Officer, Punjab National Bank (Erstwhile United Bank of India), 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124, 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 Proprietor namely Sri Pradip Kumar Das S/o. Lt. Pratap Chandra Das, residing at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262 of the Borrower namely M/s. Nataraj Builders, situated at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262. (Case No – 74/24/MN)

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 (Erstwhile United Bank of India), 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124, 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 Five Lac Only) on 23.12.2011 to Borrower namely M/s. Nataraj Builders, situated at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262, having a Proprietor namely Sri Pradip Kumar Das S/o. Lt. Pratap Chandra Das, residing at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of Bastu Landed property measuring an area more or less 8.28 Decimal, lying and situated at Mouza – Media, JL No – 83, Sabek Khatian No – 302, Hal LR Khatian No – 526 A) Sabek Dag No – 403, Hal Dag No – 605, Area of Land 5.24 Satak or 5 Decimal as per mutation certificate, B) Sabek Dag No – 405, Hal Dag No – 607, Area of Land 1.63 Satak or 2 Decimal more or less as per mutation certificate C) Sabek Dag No – 404, Hal Dag No – 606, Area of land 1.41 Satak or 2 Decimal more or less as per mutation certificate.

Under the local jurisdiction of Akaiapur Gram Panchayet, PS – Gopalnagar, North 24 Parganas, as per sale deed no. 799 for the year 1989, registered in book no. –I, Volume No. 12, registered at the office of ADSR – Bongaon, 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 02.05.2022 due to non servicing of interest/ installment

3) Notice dated 04.07.2022 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 5,05,373.17 (Rupees Five Lac Fiv Thousand Three Hundred Seventy Three and Seventeen Paise) only and the demand notice was received by the borrower on 08.07.2022.

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 04.07.2022.

5) The Secured creditor issued possession notice dated 20.10.2022 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 22.10.2022

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.

(Continued to page No. – 2)

(2)

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 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 Punjab National Bank (Erstwhile United Bank of India), 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124, the secured creditor and being satisfied, it is hereby ordered that Sri Jyotindra Nath Bairagi, Executive Magistrate by Sub Section (1) of Section 20 of the Criminial Procedure, 1973 (Act 2 of 1974), in the Office of the Sub Divisional Officer, Bongaon, 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

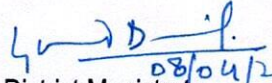
and

Whereas Authorized Officer, Punjab National Bank (Erstwhile United Bank of India), 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124, will intimate the date of possession of the secured asset to the The Superintendent of Police, Bongaon Police District, as well as to, Sri Jyotindra Nath Bairagi, Executive Magistrate by Sub Section (1) of Section 20 of the Criminial Procedure, 1973 (Act 2 of 1974), in the Office of the Sub Divisional Officer, Bongaon, 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, Bongaon 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.

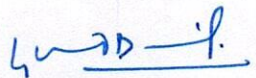
2/5/24

Memo No. J -15013(11)/ 1150 11/(5)/2024/JM

Date. - 08 / 04 / 2024

Copy forwarded for information and necessary action :-

1. The Superintendent of Police, Bongaon Police District, with a request to comply with the said order.
2. The Sub Divisional Officer, Bongaon, North 24- Parganas, with a request to comply with the said order.
3. Sri Jyotindra Nath Bairagi, W.B.C.S (Exe.), Executive Magistrate, in the Office of the Sub Divisional Officer, Bongaon, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Punjab National Bank (Erstwhile United Bank of India), 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat (Near Seth Pukur), Kolkata – 700 124.
5. M/s. Nataraj Builders, situated at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262, having a Proprietor namely Sri Pradip Kumar Das S/o. Lt. Pratap Chandra Das, residing at, Media Bazar, Chakdaha Road, PO – Media, PS – Gopalnagar, North 24 Parganas, PIN – 743 262.



District Magistrate
North 24-Parganas.

2/5/24