



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



Whereas Authorized Officer, GIC Housing Finance Ltd 74/38, 2nd Floor, Kaillash Bhawan, Jessore Road, Kolkata- 700124. West Bengal, 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. Mr. Ritu Raj Pandey & Mrs.Manorama Pandey both are residing at Building Subham plaza. House No. Flat G/B, Floor No. G R,Plot NO., Holding No, 88. Street name- Viveknagar, Land mark- Viveknagar Mashitala Temple, Village- Khardaha, location- Titagrh, Taluka, P.S- Khardha ,North 24 PGS, W.B, Pin- 700119.

(Case No –388/2023 date 28.04.2023)
and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, GIC Housing Finance Ltd.74 /38, 2nd Floor, Kaillash Bhawan, Jessore Road, Kolkata- 700124, West Bengal, 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.17,23,000 (Rupees Seventeen Lac twenty three Thousand) Only On 12.09.2017, Guarantor namely, Mr. Ritu Raj Pandey & Mrs.Manorama Pandey both are residing at Building -Subham Plaza. House No.flat G/B, Floor No.GR, Plot NO., Holding No, 88. Street name- viveknagar, Land mark- Viveknagar mashitala temple, Village- khardaha, location- Titagrh, taluka, P.S- Khardha North 24 PGS, W.B, Pin- 700119.

the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- (1) All that piece and parcel land measuring of Carpet, 387.64 Sq, Ft and super built - UP 709, 10 Sq, ft . More or less with Building lying and situated R.s- dag 3081, Building name - Subham plaza. House No.flat G/B, Floor No. GR, Plot NO., Holding No, 88. Street name- viveknagar , Street No. JL. 2 , Sector word No. 17, Land mark - Viveknagar Mashitala temple, Village- khardaha, location- Titagrh, taluka, P.S- Khardha North 24 PGS, W.B, Pin- 700119,The Bounded and butted- Noth by – Swamigi Vidyamandir, South- by Municipal Road , East- by Nirmal Sardar residence , West- by vacant land .The mortgage property stands in the mane of . Mr. Ritu Raj Pandey & Mrs.Manorama Pandey, Being deed no I-06380 in the year of 2017 at the office of A.D.S.R,Sodehpur
 - 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. 01.02.2020 due to non servicing of interest/ installment
 - 3) Notice dated 18.12.2020 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. 18.24.442 (Rupees Eighteen Lac Twenty Four Thousand Four Hundred Forty two) Only. No demand notice was received by the borrower then The secured creditor served The demand notice by speed post on 10.01.2022 on but delivery was not confirmed. The secured creditor published notice on 29.06.2021 in the Newspaper of Financial Express and Ekdin.
 - 4) The Authorised Officer of the secured creditor received no representation from the borrowers in reply to demand notice u/s 13(2), dated 18.12.2020.
 - 5) The Secured creditor issued possession notice dated 21.12.2021 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 of Business Standard and Akdin on 27.12.2021.
 - 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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(2)

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 GIC Housing Finance Ltd. 74 /38, 2nd Floor, Kaillash Bhawan, Jessore Road, Kolkata- 700124, West Bengal, the secured creditor and being satisfied, it is hereby ordered that Sri. Pinaki Sankar Biswas, 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.

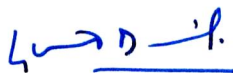

and

Whereas Authorized GIC Housing Finance Ltd., 74 /38, 2nd Floor, Kaillash Bhawan, Jessore Road, Kolkata- 700124, West Bengal shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore Commissionerate, North 24 - Parganas, as well as to, Sri. Pinaki Sankar Biswas, 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 Commissionerate, 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 05/05/24
North 24-Parganas.


Memo No. 2057/JM/ BST

Date. - 8/7/24.

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore Commissionerate, 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, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
4. GIC Housing Finance Ltd. 74 /38, 2nd Floor, Kaillash Bhawan, Jessore Road, Kolkata- 700124, West Bengal.
5. Mr. Ritu Raj Pandey at Building Name- Subham plaza. House No.flat G/B, Floor No.GR,Plot NO., Holding No, 88. Street name- Viveknagar, Land mark- Viveknagar Mashitala temple, Village- khardaha, location- Titagr, taluka North 24 PGS, W.B, P.S- Khardha , Pin- 700119.
6. Mrs.Manorama Pandey at Building Name- Subham plaza. House No.flat G/B, Floor No.GR,Plot NO., Holding No, 88. Street name- Viveknagar, Land mark- Viveknagar Mashitala temple, Village- khardaha, location- Titagr, Taluka, P.S- Khardha , North 24 PGS, W.B, Pin- 700119.




District Magistrate
North 24-Parganas

