

  
**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, 4<sup>th</sup> Floor, Premises No. 02-0360, Plot No. DH- 6/2, Action area ID, New Town, Post: Rajarhat P.S – New Town (Old Rajarhat ) Kolkata – 700160, 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 Golam Faruk Mondal , S/O Subid Mondal, Parvina Bibi Mondal , W/O- Golam Faruk Mondal , Gopalpur Bargharia, Gopalpur Jamim Masjid, Dist. Noth 24 Parganas, Pin – 743247 west Bengal.

(Case No-725/2022,16.08.2022)

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, 4<sup>th</sup> Floor, Premises No. 02-0360, Plot No. DH- 6/2, Action area ID, New Town, Post: Rajarhat P.S – New Town (Old Rajarhat) Kolkata – 700160. 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 Cash Credit Rs. 15,00,000/- (Rupees Fifteen lac) Only on. 12.04.2019, to Borrower & Guarantor namely Golam Faruk Mondal , S/O Subid Mondal, Parvina Bibi Mondal , W/O- Golam Faruk Mondal , Gopalpur Bargharia, Gopalpur, Jamim Masjid, Dist. Noth 24 Parganas, pin – 743247, West Bengal, against the all the mortgaged piece and parcel of landed property as follows:

**SCHEDULE OF PROPERTY**

1) All that piece and parcel of land measuring about 5 decimals, situated at Mouza Gopalpur, Police station Swarupnagar , J.L No. 34, L.R. Khatian No. 1195, R.S. & L.R Dag No. 3130, Charchat Gram Panchyat, Holding No. 440, District - North 24 Parganas , Owned By Golam Faruk Mondal By Virtue of a Registered Bengali Hebanama Vide Deed No. (I-7745)152507745/ 2018 Registered at DSR- III , Barasat. North 24 Parganas. The property is butted and bounded by north-6 ft. wide kaccha Panchayet road, By south- land of Afizul Islam, By East- Land of Golam Mostafa, By West- 5 ft. wide kaccha Panchayet road. The mortgaged property stands in the name of Golam Faruk Mondal

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 22.07.2021 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. 20,25,880.72/- (Rupees Twenty Lac Twenty Five Thousand Eight Hundred Eighty and seven Two Paise) Only. The Demand notice was received by the borrower on.04.08.2021.

4) The Authorised Officer of the secured creditor received no representation from the borrowers in reply to demand notice u/s 13(2), of SARFAESI Act. 2002 dated 22.07.2021

5) The Secured creditor issued possession notice dated 09.03.2022 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 newspapers of Business standard and Duranta Barta on 12.03.2022.

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

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 by the secured creditor there is no stay declared by any court of law.

and

12) The property is not under lessee/tenancy as per affidavit, deed(s), records or all other relevant documents.

and

Therefore, after careful consideration of the contents of the affidavits 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, 4<sup>th</sup> Floor, Premises No. 02-0360, Plot No. DH- 6/2, Action area ID, New Town, Post: Rajarhat , P.S – New Town (Old Rajarhat ) Kolkata – 700160, the secured creditor and being satisfied, it is hereby ordered that, Sri. Prohllad 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, Basirhat, 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, 4<sup>th</sup> Floor, Premises No. 02-0360, Plot No. DH- 6/2, Action area ID, New Town, Post: Rajarhat , P.S – New Town (Old Rajarhat) Kolkata – 700160, shall intimate the date of possession of the secured asset to The Superintendent Of Police, Basirhat P.D, North 24 - Parganas, as well as to, Sri. Prohllad 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, Basirhat 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 Superintendent Of Police, Basirhat P.D, 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 13/07/24  
North 24 Parganas. 

Date- 15-07-2024

Memo. No. 2196/JM/BST

Copy forwarded for information and necessary action to :-

1. The Superintendent of Police, Basirhat P.D, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Basirhat, North 24- Parganas, with a request to comply with the said order.
3. Sri. Prohllad Biswas, Executive Magistrate, in the Office of the Sub Divisional Officer, Basirhat, 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, 4<sup>th</sup> Floor, Premises No. 02-0360, Plot No. DH- 6/2, Action area ID, New Town, Post: Rajarhat , P.S – New Town (Old Rajarhat ) Kolkata – 700160.
5. Golam Faruk Mondal , S/O -Subid Mondal, Gopalpur Bargharia, Gopalpur Jamim Masjid, Dist. Noth 24 Parganas, Pin – 743247 west Bengal
6. Parvina Bibi Mondal , W/O- Golam Faruk Mondal , Gopalpur Bargharia, Gopalpur Jamim Masjid, Dist. Noth 24 Parganas, Pin – 743247 west Bengal



  
District Magistrate  
North 24 Parganas  
