



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



ORDER

Whereas Authorized Officer, Ujjivan Small Finance Bank Ltd, 4th floor, Rishi tech park, Premises no.02-0360,plot no.Dh-6/2,action area ID, Newtown,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 Mr. Anjan Kar, S/O - Shyamal Kar & Mrs. Putul kar, W/O- Mr. Shymal kar, Mrs. Tumpa kar and Shayamal Kar, all are residing 1941 Haripur, Ashoknagar,kalyagarh, North 24 Pargans, pin 743223.

(Case No -217/2023 Dated 17.03.2023)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Ujjivan Small Finance Bank Ltd, 4th floor, Rishi tech park, Premises no.02-0360, Plot no.Dh-6/2,action area ID, New town,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 Rs.7,00,000/- (Rupees Seven Lakh) Only On 27.05.2019, Borrower & Guarantor namely Mr Anjan Kar & Mrs. Putul kar, Mr.Shymal kar, Mrs.Tumpa kar all are residing 1941 Haripur, Ashoknagar,kalyagarh, North 24 Pargans, Pin 743223, the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece and parcel of a land measuring 2.72 decimals along with single storied residential building (having 656 sq.Ft.built up area) standing thereon at present and all structures, constructions and improvements to be made in future situated at Mouza Haripur, p.s Ashoknagar, J.L no. -70, Re Sa No.-207, Touzi No.-2011,R.S and L.R dag No.-627/1600,L.R Khatian No.-1390,under Asoknagar Kalyangarh Municipality,Ward No.-9,District North 24 parganas .The property belongs to Mrs. Putul Kar, Mr.Anjan Kar, i.e No.-1 and 2 among you vide Bengali Deed of gift Dated 08/07/20215 registered before office of A.D.S.R Guma, recorded in book No.-1,Volume No.-1517-2015,pages 18492-18522,being No.- 1-2292 dated on 08.07. 2015. Butted and Bounded by. On the North - L.O.P 1938 no., On the South - L.O.P no.1942, On the East - Road, On the West L.O.P no.1940.
 - 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 06.03.2021 due to non-servicing of interest/ installment.
 - 3) Notice dated 14.07.2021 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 7,86,365.52/-(Rupees Seven Lakh Eighty six Thousand Three Hundred Sixty Five and Five Two paise) Only. The Demand notice was received by the borrower on 27.07.2021.
 - 4) The Authorised Officer of the secured creditor received no representation from the borrowers in reply to demand notice u/s 13(2), dated 14.07.2021
 - 5) The Secured creditor issued possession notice dated 07.04.2022 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 Morning India and Aajkal on 11.04.2022.
 - 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 submitted by the secured creditor there is no stay declared by any court of law.

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

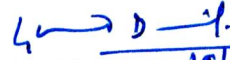
Therefore, after careful consideration of the contents of the affidavits including the nine clauses mentioned under Section 14(1)B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Ujjivan Small Finance bank ltd, 4th floor, Rishi tech Park, Premises no.02-0360, plot no.Dh-6/2, action area ID, Newtown, Kolkata-700160, the secured creditor and being satisfied, it is hereby ordered that Sri. Lakshmi Kanta Roy, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, Barasat 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 Ujjivan Small Finance bank ltd, 4th floor, Rishi tech Park, Premises no.02-0360, 0Plot no.Dh-6/2, action area ID, New town, Kolkata-700160, shall intimate the date of possession of the secured asset to The Superintendent of Police, Barasat P.D, North 24 - Parganas, as well as to, Sri. Lakshmi Kanta Roy, Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), in the Office of the District Magistrate, North 24- Parganas, Barasat, 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, Barasat 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 19/07/24
North 24-Parganas.

Memo No. 2264/JM/BST

Date. - 22-07-2024

Copy forwarded for information and necessary action to :-

1. The Superintendent of Police, Barasat P.D, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barasat, North 24- Parganas, with a request to comply with the said order.
3. Sri. Lakshmi Kanta Roy, Executive Magistrate, in the Office of the District Magistrate, North 24- Parganas, Barasat, with a request to comply with the said order.
4. Ujjivan Small Finance bank ltd, 4th floor, Rishi tech Park, Premises no.02-0360, plot no.Dh-6/2, action area ID, New town, Kolkata-700160,
5. Borrower & Guarantor namely Mr. Anjan Kar, S/O-Shyamal Kar, 1941 Haripur, Ashoknagar, kalyagarh, North 24 Pargans, Pin 743223 .
6. Putul Kar, W/O – Mr. Shyamal Kar, 1941 Haripur, Ashoknagar, kalyagarh, North 24 Pargans, Pin 743223.
7. Mrs. Tumpa kar, W/O- Mr. Anjan Kar, 1941 Haripur, Ashoknagar, kalyagarh north 24 pargans, pin 743223.
8. Mrs. Shyamal Kar, 1941 Haripur, Ashoknagar, kalyagarh, North 24 Pargans, Pin 743223.




District Magistrate
North 24-Parganas