

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



**ORDER**

Whereas Authorized Officer, Bank of Baroda (Erstwhile Vijaya Bank), Madhyamgram Branch, Pushpa Kunj Road, Sodepur (E), Madhyamgram, Debigarh, Kolkata – 700 129 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 Proprietor namely Sri Subhrendu Bhattacharyya S/o. Sri Satyendra Nath Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028, having a Guarantor namely Smt. Rupa Bhattacharyya W/o. Sri Subhrendu Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028 of the Borrower namely M/s. K.R.Industries, situated at, Bodai Panchayet Road, PO – Jugberia, North 24 Parganas. (Case No – 84/24/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Bank of Baroda (Erstwhile Vijaya Bank), Madhyamgram Branch, Pushpa Kunj Road, Sodepur (E), Madhyamgram, Debigarh, Kolkata – 700 129 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. 70,00,000.00 (Rupees Seventy Lac Only) on 30.08.2013 to Borrower namely M/s. K.R.Industries, situated at, Bodai Panchayet Road, PO – Jugberia, North 24 Parganas, having a Proprietor namely Sri Subhrendu Bhattacharyya S/o. Sri Satyendra Nath Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028, having a Guarantor namely Smt. Rupa Bhattacharyya W/o. Sri Subhrendu Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028 against the all the mortgaged piece and parcel of landed property as follows:

**SCHEDULE OF PROPERTY**

1) All that piece and parcel of the landed property measuring an area more or less 10 Katha & 15 Sq. Ft. along with double storied commercial building under Mouza – Jugberia, J.L.No – 29, Khatian No – 34, 27, 19, 15 and 226, Dag No – 74 and 194 within Bilkanda Gram Panchayet, Vill & PO – Jugberia, North 24 Parganas, Kolkata – 700 110. Mortgaged Property stands in the name of Sri Subhrendu Bhattacharyya S/o. Sri Satyendra Nath Bhattacharyya and being the registered Deed No – I – 05763 for the year 2012 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 02.03.2016 due to non servicing of interest/ installment

3) Notice dated 07.04.2016 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. 64,21,091.92 (Rupees Sixty Four Lac Twenty One Thousand Ninety One and Ninety Two Paise) only and the notice was received by the borrower on 11.04.2016

4) The Authorised Officer of the secured creditor received representation on 26.04.2016 from the borrowers in reply to demand notice u/s 13(2), which was duly replied by the secured creditor on 06.05.2016

5) The Secured creditor issued possession notice dated 02.08.2016 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 05.08.2016

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 an SA No. 325/2016 pending before the DRT – III, Kolkata under Section 34 of SARFAESI Act, 2002 in this regard as per the documents, submitted by the borrower during hearing dated 06.06.2024. '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 leesee/tenancy as per affidavit, deed(s), records or all other relevant documents

**(Continued to page No. – 2)**

and

Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1) B of the Securitization 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 Bank of Baroda (Erstwhile Vijaya Bank), Madhyamgram Branch, Pushpa Kunj Road, Sodepur (E), Madhyamgram, Debigarh, Kolkata – 700 129, the secured creditor and being satisfied, it is hereby ordered that Sri Dibyendu Goswami, 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 Sub-Division, 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, Bank of Baroda (Erstwhile Vijaya Bank), Madhyamgram Branch, Pushpa Kunj Road, Sodepur (E), Madhyamgram, Debigarh, Kolkata – 700 129 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore Police Commissionerate, North 24 - Parganas, as well as to Sri Dibyendu Goswami, 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 Sub-Division, 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 Police 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,  
North 24-Parganas.

  
26/6/24

Date. - 02 / 07 / 2024

Memo No. J -15013(11)/

1960

1/1(5)/2024/JM

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore Police Commissionerate, North 24 Parganas with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore Sub-Division, North 24- Parganas, with a request to comply with the said order.
3. Sri Dibyendu Goswami, Executive Magistrate, in the Office of the Sub Divisional Officer, Barrackpore Sub-Division, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Bank of Baroda (Erstwhile Vijaya Bank), Madhyamgram Branch, Pushpa Kunj Road, Sodepur (E), Madhyamgram, Debigarh, Kolkata – 700 129.
5. M/s. K.R.Industries, situated at, Bodai Panchayet Road, PO – Jugberia, North 24 Parganas, having a Proprietor namely Sri Subhrendu Bhattacharyya S/o. Sri Satyendra Nath Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028, having a Guarantor namely Smt. Rupa Bhattacharyya W/o. Sri Subhrendu Bhattacharyya, residing at, 109/1, R.B.C. Road, Dum Dum Cantonment, Kolkata – 700 028.



  
District Magistrate  
North 24-Parganas.

  
26/6/24