



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

Order

Whereas Authorized Officer, Punjab National Bank , Circle Sastra, Kolkata North Circle, DD 11 Salt Lake City, Sector 1, Kolkata- 700064, 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 Asset / Property of the Borrower namely M/S Shaw & Show, Prop: Mr Kiran Kumar Shaw, S/o Munni Shaw, T-111/A Dhandebi Khanna Road, P.S. Phool Bagan, Dist-North 24 Pgs, Kolkata-700054 and Mr Kiran Kumar Shaw, S/o Munni Shaw Prop. Of M/S Shaw & Show, Flat No. D, 2<sup>nd</sup> Floor, Nilkuthi Apartment, Baguiati, Kolkata-700059, Guarantor: Mrs. Nissmala Shaw in the Case No.-: 555 / 23 dated 27/ 06 / 2023.

And

Whereas in the light of above matter the petition along with affidavits and other relevant documents submitted by the Authorised officer, Punjab National Bank , Circle Sastra, Kolkata North Circle, DD 11 Salt Lake City, Sector 1, Kolkata-700064, West Bengal has filed a petition to the District Magistrate, North 24-Parganas seeking administrative assistance in terms of Section 14 (1) of the SARFAESI Act of 2002 for taking over physical possession of the Secured Asset is seen and taken up for consideration.

And

Whereas from the documents and status report submitted by the Authorised Officer, it transpires that secured creditor granted loan of Rs. 25,00,000.00 (TwentyFive Lakhs ) only on 23.03.2018 and 4,80,000.00 (Four Lakh Eighty Thousand ) only on 15.07.2020 and 1,92,000.00 (One Lakh NinetyTwo Thousand) only on 28.06.2021 and 2,40,000.00 (Two Lakh Forty Thousand)only on 21.12.2021 to the Borrower viz. M/S Shaw & Shaw, Prop: Mr Kiran Kumar Shaw, S/o Munni Shaw, T-111/A Dhandebi Khanna Road, P.S. Phool Bagan, Dist-North 24 Pgs, Kolkata-700054 and Mr Kiran Kumar Shaw, S/o Munni Show Prop. Of M/S Shaw & Shaw, Flat No. D, 2<sup>nd</sup> Floor, Nilkuthi Apartment, Baguiati, Kolkata-700059, Guarantor: Mrs. Nissmala Shaw against the mortgaged piece and parcel of landed property as follows:

Schedule of Property

1) Hypothecation of plant and machinery, stock of raw- materials, finished and semi -finished goods, debts and moveable assets. All that piece or parcel of one self contained complete residential Flat being Flat No. D, on the second floor, having super built-up area more or less 710 (Seven Hundred Ten) Sq.ft. consisting of Two bed rooms, one dinning cum kitchen, One Toilet and One Verandah / Balcony of the said building known as "Nilkuthi" together with undivided proportionate impartible and indivisible interest of the land pertaining to the land measuring more or less an area 2 cottahs 5 Chittaks 8 sq. ft. together with one two storied building now standing thereon or on a part thereof being situated and lying at Mouza Jyangra, J.L. No. 16, R.S No. 114, Touzi No. 3027, under C.S Khatian No. 91, and R.S. Khatian No. 208, C.S. Dag No. 1428, R.S. dag No. 1467, in the District of North 24 Parganas, under Holding No. R.G.M./M/112/07, Jyangra South Math within the jurisdiction of the Rajarhat Gopalpur Municipality, under Ward No. 09, Sub-Registration Office at Bidhannagar, District North 24 Parganas being Deed No.-I-02297 for the year 2009 in the name of Sri Kiran Kumar Shaw, son of Sri Munni Shaw and Smt. Nissmala Shaw wife of kiran Kumar Shaw.

Butted & Bounded by: on the North : By land of Sri Haradhan Saha and R.S. Dag No. 1466, On the South: By R.S. Dag No. 1466 (P), On the East: By 13 ft. wide passage, On the West: By the Land of Sri Jugal Chandra Aich.

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 12.04.2022 due to non servicing of interest/ installment

3) Notice dated 10.10.2022 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. 36,28,336.31 (ThirtySix Lac Twenty Eight Thousand ThreeHundred Thirty Six and Thirty One paisa) only and delivered on 14.10.2022.

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 10.10.2022 .

5) The Secured creditor issued possession notice dated 23.12.2022 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 29.12.2022.

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

Continued to Page No. 2



(2)

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 affidavit dated 22.06.2023 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, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD 11 Salt Lake City, Sector 1, Kolkata-700064, West Bengal has filed a petition to the District Magistrate, North 24-Parganas, the secured creditor and being satisfied, it is hereby ordered that Smt. Farhanaz Khanam 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, Bidhannagar, 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.

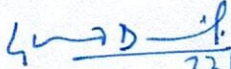
And

Whereas Authorized Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD 11 Salt Lake City, Sector 1, Kolkata- 700064, West Bengal, has filed a petition to the District Magistrate, North 24-Parganas shall intimate the date of possession of the secured asset to the Commissioner of Police, Bidhannagar Commissionerate, North 24 - Parganas, as well as to, Smt. Farhanaz Khanam, 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, Bidhannagar, North 24- Parganas under The District Magistrate, 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, Bidhannagar 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.

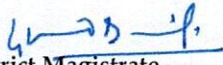
  
District Magistrate  
North 24 Parganas  
23/03/24

Memo No. 1002/JM

Date. 24-03-2024

Copy forwarded for information and necessary action to:

- 1) The Commissioner of Police, Bidhannagar Commissionerate, North 24 Parganas, with a request to comply with the said order.
- 2) The Sub Divisional Officer, Bidhannagar, North 24 Parganas, with a request to comply with the said order.
- 3) Smt. Farhanaz Khanam, Executive Magistrate, in the Office of the Sub Divisional Officer, Bidhannagar, North 24 Parganas, with a request to comply with the said order.
- 4) Authorized Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD 11 Salt Lake City, Sector 1, Kolkata- 700064, West Bengal.
- 5) M/S Shaw & Shaw, Prop: Mr Kiran Kumar Shaw, S/o Munni Shaw, T-111/A Dhandebi Khanna Road, P.S. Phool Bagan, Dist-North 24 Pgs, Kolkata-700054 and Mr Kiran Kumar Shaw, S/o Munni Shaw Prop. Of M/S Shaw & Shaw, Flat No. D, 2<sup>nd</sup> Floor, Nilkuthi Apartment, Baguiati, Kolkata-700059, Guarantor: Mrs. Nissmala Shaw.

  
District Magistrate  
North 24 Parganas  
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