



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

Order

Whereas Authorized Officer, UCO Bank, Jawaharlal Nehru Road Branch, 35/1, J.N. Road, Kolkata - 700071, 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 Sri. Prasanta Kumar Manna, S/o Bimal Chandra Manna; residing at Flat No. A, 4<sup>th</sup> Floor, Premises No. 44/48, Shyam Nagar Road, Holding No. 33 (New) Purbabanga Colony, P.S. Dum Dum, Kolkata - 700055 having Co - Borrower / Guarantor Smt. Sutapa Manna in the Case No.: 842/22 dated 27/09/2022.

And

Whereas in the light of above matter the petition along with affidavits and other relevant documents submitted by the Authorized Officer, UCO Bank, Jawaharlal Nehru Road Branch, 35/1, J.N. Road, Kolkata - 700071 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. 8,35,000.00 (Rupees Eight Lakhs Thirty Five Thousand) only on 18.04.2008 to the Borrower viz. Sri. Prasanta Kumar Manna, S/o Bimal Chandra Manna, having Co - Borrower / Guarantor Smt. Sutapa Manna against the mortgaged piece and parcel of landed property as follows:

Schedule of Property

- 1) All that piece and parcel of landed property belongs in the name of Sri. Prasanta Kumar Manna, S/o Bimal Chandra Manna., Flat being No. A on the 4<sup>th</sup> Floor measuring an super built up area 850 sq. ft. more or less, at Mouza -Satgachi , J.L. No. 20, E.P. 47 (S.P) 59 & 60, C.S. Plot No. 3018 (P) situated at present premises no. 44/48 , Shyam Nagar Road , Holding No. 33 (New) Purbabanga Colony , Ward No. 27 under South Dumdum Municipality , P.S. Dumdum , District -North 24 Parganas, Kolkata 700055. Registered Deed No. I-2908, Volume No. 75, Page No. 15 to 30 for the year 2008 , A.D.S.R.O-Cossipore Dumdum  
The Mortgaged Property stands in the name of Sri. Prasanta Kumar Manna, S/o Bimal Chandra Manna. The property is butted & bounded by: North By E.R. 45B, South - Shyam Nagar Road, East - E.P. 49 & E.P. 50 & West - Land of Biswanath Saha.
  - 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 31.12.2013 due to non-servicing of interest/ installment.
  - 3) Notice dated 18.02.2020 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. 21,72,068.00 (Rupees Twenty One Lakhs Seventy Two Thousand & Sixty Eight) only and the demand notice was served on 19.02.2020.
  - 4) The Authorised Officer of the Secured Creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 18.02.2020.
  - 5) The Secured Creditor issued possession notice dated 03.10.2020 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 on 06.10.2020.
  - 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 is within the jurisdiction of the District Magistrate, North 24 Parganas.
- And
- 8) Whereas, the amount dues is 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(s) 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, 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 27.09.2022 submitted 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 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 UCO Bank, Jawaharlal Nehru Road Branch, 35/1, J.N. Road, Kolkata - 700071 and being satisfied, it is hereby ordered that Smt. Anamika Bera (Saha), Executive Magistrate by Sub Section (1) of Section 20 of the Criminal Procedure, 1973 (Act 2 of 1974), under the Office of the Sub Divisional Officer, Barrackpore, North 24 Parganas will take physical possession of the Secured Asset(s) / Property(s) and forward the same to the Secured Creditor u/s 14 (1A) of SARFAESI Act, 2002.

And

Whereas, Authorized Officer of UCO Bank, Jawaharlal Nehru Road Branch, 35/1, J.N. Road, Kolkata - 700071 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, Smt. Anamika Bera (Saha), 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 Asset(s) / Property(s) 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 Asset(s) / Property, 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.

*[Signature]*  
District Magistrate  
North 24 Parganas

*[Signature]*  
Date. 16-03-2024

Memo No.: 899/1(5)/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) Smt. Anamika Bera (Saha), Executive Magistrate, in the Office of the Sub Divisional Officer Barrackpore, North 24 Parganas, with a request to comply with the said order.
- 4) Authorized Officer, UCO Bank, Jawaharlal Nehru Road Branch, 35/1, J.N. Road, Kolkata - 700071.
- 5) Sri. Prasanta Kumar Manna, S/o Bimal Chandra Manna; residing at Flat No. A, 4<sup>th</sup> Floor, Premises No. 44/48, Shyam Nagar Road, Holding No. 33 (New) Purbabanga Colony, P.S. Dum Dum, Kolkata - 700055.

*[Signature]*  
District Magistrate  
North 24 Parganas