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



ORDER

Whereas Authorized Officer, Punjab National Bank, 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat, (Near Seth Pukur), 24-Parganas (N), Kol – 700 124, has filed a petition u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Proprietor namely Mojaffar Ali Biswas S/o. Motiyar Ali Biswas of the Borrower namely M/s. Biswas Enterprise, both are residing & situated at, Vill – Arkhali Kachari More, PO – Arkhali Amdanga, PS – Amdanga, North 24 Parganas, PIN – 743 221. (Case No – 93/23/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Punjab National Bank, 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat, (Near Seth Pukur), 24-Parganas (N), Kol – 700 124, 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. 22,40,000.00 (Overdraft) (Rupees Twenty Two Lac Forty Thousand Only) on 21.02.2017 to Borrower namely M/s. Biswas Enterprise, having a Proprietor namely Mojaffar Ali Biswas S/o. Motiyar Ali Biswas, both are residing & situated at, Vill – Arkhali Kachari More, PO – Arkhali Amdanga, PS – Amdanga, North 24 Parganas, PIN – 743 221, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of a landed property measuring an area more or less 05.80 Decimal along with a super structure situated Under Mouza – Arkhali, J.L.No – 62, L.R. Khatian No – 1662, L.R. Dag No – 286, PS –Amdanga, North 24 Parganas. The Building is Butted and Bounded by North – Property of Mr. Tapan Das, South – 18' wide NH 34, East – Property of Mr. Nurul Haque, West – Property of Mr. Santosh Das. The Mortgaged Property stands in the name of Mojaffar Ali Biswas S/o. Motiyar Ali Biswas and being the registered Deed No. – I – 1500 for the year 2007 and the deed is registered at the office of ADSR - Amdanga, North 24 Parganas, West Bengal.

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 31.03.2021 due to non servicing of interest/ installment

3) Notice dated 11.06.2021 u/s 13(2) of SARFAESI Act, 2002 demanding payment of default amount was served to the defaulting borrower. The total outstanding amount as mentioned in notice is Rs 24,93,614.02 (Rupees Twenty Four lac Ninety Thoudand Six Hundred Fourteen and Two Paise) only and the demand notice was received by the borrower on 15.06.2021.

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 11.06.2021.

5) The Secured creditor issued possession notice dated 18.11.2021 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 23.11.2021

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 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

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

(Continued to page No. – 2)

(2)

and

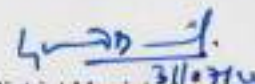

Therefore, after careful consideration of the contents of the affidavit including the nine clauses mentioned under Section 14(1)B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and all other relevant documents, which the secured creditor filed duly affirmed by the authorized officer of Punjab National Bank, 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat, (Near Seth Pukur), 24-Parganas (N), Kol - 700 124, the secured creditor and being satisfied, it is hereby ordered that Sri Sudipta Roy, 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, Barasat, 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 creditors u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, Punjab National Bank, 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat, (Near Seth Pukur), 24-Parganas (N), Kol - 700 124, will intimate the date of possession of the secured asset to the The Superintendent of Police, Barasat Police District, as well as to, Sri Sudipta Roy, 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, Barasat, 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 The Superintendent of Police, Barasat Police District, 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.


Memo No. J-15013(11)/ 2190 /11/5/2023/JM


Date - 01 / 08 / 2023

Copy forwarded for information and necessary action to :-

1. The Superintendent of Police, Barasat Police District, 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 Sudipta Roy, Executive Magistrate, in the Office of the Sub Divisional Officer, Barasat, North 24- Parganas, with a request to comply with the said order.
4. Authorized Officer, Punjab National Bank, 24 Parganas (North) Circle Sastra, 48, Jessore Road, Barasat, (Near Seth Pukur), 24-Parganas (N), Kol - 700 124.
5. M/s. Biswas Enterprise, having a Proprietor namely Mojaffar Ali Biswas S/o. Motiyar Ali Biswas, both are residing & situated at, Vill - Arkhali Kachari More, PO - Arkhali Amdanga, PS - Amdanga, North 24 Parganas, PIN - 743 221.


District Magistrate
North 24-Parganas.





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



Whereas Authorized Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Salt Lake City, Sector – 1, Kolkata – 700 064 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 Guarantor namely Sri Priyabrata Dutta S/o.Late Madhusudan Dutta, having a Proprietor namely Sri. Ramya Dutta S/o. Sri Priyabrata Dutta, both are residing at, 61/1, S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN – 700 120 of the Borrower namely M/s. Electro Power & Mechanical Enterprises, situated at, Madhusudan Complex, 1st Floor, 99 (61/1), S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN – 700 120. (Case No – 94/23/MN)

and

whereas in the light of above order 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 – 700 064 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 secured creditor granted a loan Rs. 70,00,000.00 (ODMIP) (Rupees Seventy Lac Only) on 10.01.2017 & Rs. 14,51,000.00 (Rupees Fourteen Lac Fifty One Thousand Only) on 25.06.2019 to Borrower namely M/s. Electro Power & Mechanical Enterprises, situated at, Madhusudan Complex, 1st Floor, 99 (61/1), S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN – 700 120, having a Proprietor namely Sri. Ramya Dutta S/o. Sri Priyabrata Dutta, having a Guarantor namely Sri Priyabrata Dutta S/o.Late Madhusudan Dutta, both are residing at, 61/1, S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN – 700 120, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1A) All the piece and parcel of an Equitable Mortgage of commercial space measuring an area more or less 1500 Square Feet on the First Floor in (G+IV) Building namely Madhusudhan Complex, situated at, Mouza – Chanak, R.S.& L.R.Khatian No – 3719, Modified Khatian No – 1881, New Modified Khatian No – 5427, RS & LR Plot No – 530, Holding No – 99(66/1) , S.N.Banerjee Road, under the local jurisdiction of Barrackpore Municipality, PS – Titagarh, North 24 Parganas. The Building is butted and bounded by North – Stair Case, South – Residential Portion of Donee, East – H/O Ram Chandra Shaw & Ors, West – B.T.Road.The Mortgaged Property stands in the name of Sri Priyabrata Dutta S/o.Late Madhusudan Dutta and being the registered Deed No. – 1 – 5328 for the year 2016 at the Office of the ADSR – Barrackpore, North 24 Parganas, WB.

1B) All the piece and parcel of an Residential Flat measuring an area more or less 2200 Square Feet on the First Floor in Madhusudhan Complex, situated at, Mouza – Chanak, JL No – 4, Touzi No – 2998, R.S.& L.R.Khatian No – 3719, Modified Khatian No – 1881, New Modified Khatian No – 5427, RS & LR Plot No – 530, Holding No – 99(66/1) , S.N.Banerjee Road, under the local jurisdiction of Barrackpore Municipality, PS – Titagarh, North 24 Parganas. The Building is butted and bounded by North – Commercial Portion of Donee, South – S.B.I Bkp Railway Station Br., East – H/O. Ram Chandra Shaw & Ors, West – B.T.Road.The Mortgaged Property stands in the name of Sri Priyabrata Dutta S/o.Late Madhusudan Dutta and being the registered Deed No. – 1 – 5327 for the year 2016 at the Office of the ADSR – Barrackpore, 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 31.03.2021 due to non servicing of interest/ installment

3) Notice dated 23.06.2021 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. 78,93,597.75 (Rupees Seventy Eight Lac Ninety Three Thousand Five Hundred Ninety Seven and Seventy Five Paise) only and the demand notice was received by the borrower on 30.07.2021

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 23.06.2021

5) The Secured creditor issued possession notice dated 27.10.2021 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 01.11.2021

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

(Continued to page No. – 2)

(2)

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 regarding this case filed by the borrower as per affidavit

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 of Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Salt Lake City, Sector - 1, Kolkata - 700 064, the secured creditor and being satisfied, it is hereby ordered that Sri Surajit Ghosh, 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, 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 - 700 064 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Surajit Ghosh., 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 assets/Property of the secured creditor on behalf of District Magistrate, North 24- Parganas, The Commissioner of Police, Barrackpore, 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.

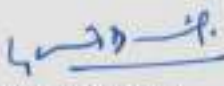
Date. - 01 / 08 / 2023


Memo No. J-15013(11)/ 2189 11/5/2023/JM

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Sri Surajit Ghosh, 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, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Salt Lake City, Sector - 1, Kolkata - 700 064.
5. M/s. Electro Power & Mechanical Enterprises, situated at, Madhusudan Complex, 1st Floor, 99 (61/1), S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN - 700 120, having a Proprietor namely Sri. Ramya Dutta S/o. Sri Priyabrata Dutta, having a Guarantor namely Sri Priyabrata Dutta S/o.Late Madhusudan Dutta, both are residing at, 61/1, S.N.Banerjee Road, Chiriamore, Barrackpore, North 24 Parganas, PIN - 700 120.




District Magistrate
North 24-Parganas.


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



ORDER

Whereas Authorized Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Slat Lake City, Sector - 1, Kolkata - 700 064 has filed a petition u/s 14 of SARFAESI Act of 2002 seeking administrative assistance for taking physical possession on the secured assets/Property of the Proprietor namely Md. Jakir Ali S/o. Mohammad Anwar Ali & Guarantor namely Sri Nasir Ali S/o. Mohammad Anwar Ali, having another Guarantor namely Smt. Tahamina Bibi W/o. Md. Jakir Ali of the Borrower namely M/s. J.A.Electric, All are residing and situated at, 1003, Masjid Bari Road, Uttar baluria, PO- Nabapally, Barasat, Kolkata - 700 126. (Case No - 85/23/MN)

and

Whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Slat Lake City, Sector - 1, Kolkata - 700 064, 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. 15,00,000.00 (Rupees Fifteen Lac Only) on 12.06.2021 to Borrower namely M/s. J.A.Electric, having a Proprietor namely Md. Jakir Ali S/o. Mohammad Anwar Ali & Guarantor namely Sri Nasir Ali S/o. Mohammad Anwar Ali, having another Guarantor namely Smt. Tahamina Bibi W/o. Md. Jakir Ali, All are residing and situated at, 1003, Masjid Bari Road, Uttar baluria, PO- Nabapally, Barasat, Kolkata - 700 126, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

- 1) All that piece or parcel of property situated at Holding / Premises No. 1003, Masjid Bari Road, Uttar Baluria, PO- Naba Pally, PS- Barasat, Kolkata - 700 126, North 24 Parganas, Mouza - Baluria, Re Sa No - 227, J.L. No. 37, Touzi No - 146, R.S.Khatian No - 279, L.R.Khatian No - 806, New L.R.Khatian No. 1867, 1871, Land of 05 Cottah 04 Chittacks 25 Square Feet in R.S./L.R. Dag No - 582 and Land of 01 Cottah 08 Chittacks in 582/1248, Municipality- Barasat, Land of 06 Cottah 12 Chittacks 25 Square Feet more or less with one storied pucca building and one shop room. The building is butted and bounded by North - 30' wide Masjid Bari Street, South - H/o. Abdul Bari, East - Common Passage & H/o. Sentu Mondal, West - H/o. Barun Majumder. The Mortgaged Property stands in the name of Md. Jakir Ali S/o. Mohammad Anwar Ali & Sri Nasir Ali S/o. Mohammad Anwar Ali and being the registered Deed No. - I - 8756 for the year 1991 and the deed is registered at the office of A.D.S.R- Barasat, North 24 Parganas, West Bengal.
 - 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 31.03.2021 due to non servicing of interest/ installment
 - 3) Notice dated 21.06.2021 u/s 13(2) of SARFAESI Act, 2002 demanding payment of default amount was served to the defaulting borrower. The total outstanding amount as mentioned in notice is Rs 16,97,760.30 (Rupees Sixteen Lac Ninety Seven Thousand Seven Hundred Sixty and Thirty Paise) only and 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 borrower in reply to demand notice u/s 13(2) dated 21.06.2021.
 - 5) The Secured creditor issued possession notice dated 02.11.2021 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 07.11.2021
 - 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 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
- and
- 12) The property is not under lease/tenancy as per affidavit, deed(s), records or all other relevant documents

(Continued to page No. - 2)

(2)
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 Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Slat Lake City, Sector - 1, Kolkata - 700 064, the secured creditor and being satisfied, it is hereby ordered that Sri Bhabesh Chandra Pal, Executive Magistrate by Sub Section (1) of Section 20 of the Criminial Procedure, 1973 (Act 2 of 1974), in the Office of the Sub Divisional Officer, Barasat, 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 creditors u/s 14 (1A) of SARFAESI act. 2002

and

Whereas Authorized Officer, Punjab National Bank, Circle Sastra, Kolkata North Circle, DD-11, Slat Lake City, Sector - 1, Kolkata - 700 064, will intimate the date of possession of the secured asset to the The Superintendent of Police, Barasat Police District, as well as to, Sri Bhabesh Chandra Pal, Executive Magistrate by Sub Section (1) of Section 20 of the Criminial Procedure, 1973 (Act 2 of 1974), in the Office of the Sub Divisional Officer, Barasat, 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 The Superintendent of Police, Barasat Police District, 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

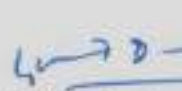
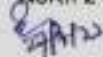

District Magistrate
North 24-Parganas


Memo No. J -15013(11)/ 2188 /1/(5)/2023/JM


Date. - 01 / 08 / 2023

Copy forwarded for information and necessary action to :-

1. The Superintendent of Police, Barasat Police District, 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 Bhabesh Chandra Pal, Executive Magistrate, in the Office of the Sub Divisional Officer, Barasat, 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, Slat Lake City, Sector - 1, Kolkata - 700 064.
5. M/s. J.A.Electric, having a Proprietor namely Md. Jakir Ali S/o. Mohammad Anwar Ali & Guarantor namely Sri Nasir Ali S/o. Mohammad Anwar Ali, having another Guarantor namely Smt. Tahamina Bibi W/o. Md. Jakir Ali, All are residing and situated at, 1003, Masjid Bari Road, Uttar baluria, PO- Nabapally, Barasat, Kolkata - 700 126.


District Magistrate
North 24-Parganas.





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



ORDER

Whereas Authorized Officer, PNB Housing Finance Ltd, 5th Floor, South Block, Premises No. 7, Kyd Street, Kankaria Mansion, Kolkata – 700 016, 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 namely Sri Kautily Kumar Roy S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata -700 012, having a Co-Borrower namely Sri Anurag Kumar S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata – 700 012. (Case No – 121/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised Officer, PNB Housing Finance Ltd, 5th Floor, South Block, Premises No. 7, Kyd Street, Kankaria Mansion, Kolkata – 700 016 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. 8,14,075.00 (Rupees Eight Lac Fourteen Thousand and Seventy Five Only) on 16.10.2017 to Borrower namely Sri Kautily Kumar Roy S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata -700 012, having a Co-Borrower namely Sri Anurag Kumar S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata – 700 012, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that the Tiles Flooring Apartment (1 BHK), Being Numbered A/17/0403 on the Fourth Floor, of the Building, Having Stair case No. 17, in Cluster A of Phase 1 A, Spandan Block, Located in Flot No. E/1, by Admeasuring carpet / lockabele area of 320 Square Feet corresponding to super built up area of 384 Square Feet be the same. A Little more or less consisting of One Bed Room, One Living / Dining Room, One Kitchen, One Balcony and one Toilet, Alongwith Club & Gymnasium Facility, alongwith two wheeler parking space bearing no. A – 17/S 10 measuring a Super built up area 70 Square Feet. On the Ground Floor together with proportionate share of common parts and common areas comprised in the building / Cluster / Block in plot no. E/1 of the mass housing complex, where the said apartment is situated together with undivided proportionate and impartible share attributable to the said flat comprised in cluster – B, Named "SP-Shukhobrishli" situated at plot no. E/1, New Town, Kolkata. Mortgaged Property stands in the name of Sri Kautily Kumar Roy S/o. Sri Dinesh Yadav and being the registered Deed No – I – 190410844 for the year 2017 at the Office of the ARA – II, Kolkata, 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 31.05.2021 due to non servicing of interest/ installment

3) Notice dated 04.08.2021 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. 8,34,094.03 (Rupees Eight Lac Thirty Four Thousand Ninety Four and Three Paise) Only. The Demand notice was published in two daily news papers on 27.08.2021

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 04.08.2021

5) The Secured creditor issued possession notice dated 14.12.2021 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 18.12.2021

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 affidavit dated 09.06.2023 there is no stay declared by any court of law.

(Continued to page No. – 2)

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 of PNB Housing Finance Ltd, 5th Floor, South Block, Premises No. 7, Kyd Street, Kankaria Mansion, Kolkata – 700 016, the secured creditor and being satisfied, it is hereby ordered that Sri Amab 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, 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, PNB Housing Finance Ltd, 5th Floor, South Block, Premises No. 7, Kyd Street, Kankaria Mansion, Kolkata – 700 016 shall intimate the date of possession of the secured asset to the Commissioner of Police, Bidhannagar, North 24 - Parganas, as well as to, Sri Amab 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, Bidhannagar, 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, 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.

[Signature]
District Magistrate
North 24-Parganas.
[Signature]

Memo No. J -15013(11)/ 2451 11(5)/2023/JM


Date. - 01 / 08 / 2023

Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Bidhannagar, 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. Sri Amab Saha, 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, PNB Housing Finance Ltd, 5th Floor, South Block, Premises No. 7, Kyd Street, Kankaria Mansion, Kolkata – 700 016.
5. Sri Kautily Kumar Roy S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata -700 012, having a Co-Borrower namely Sri Anurag Kumar S/o. Sri Dinesh Yadav, residing at, 10, Sri Nath Das Lane, Bowbazar, Kolkata – 700 012.

[Signature]
District Magistrate
North 24-Parganas.
[Signature]




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



Whereas Authorized Officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 namely Sri Tapan Saha S/o. Sri Badal Chandra Saha, residing at, 3B, Gobinda Ghosal Lane, PS – Kalighat, Kolkata – 700 025, having a Guarantor namely Sri Sujan Modak, residing at, Premises No. 139, Feeder Road, Madhusudan Roy Chowdhury Road, Belghoria, Kolkata – 700 056. (Case No – 120/23/MN)

and

whereas in the light of above order the petition along with affidavits and other relevant documents submitted by the Authorised officer, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 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 secured creditor granted a loan Rs. 21,00,000.00 (Rupees Twenty One Lac Only) on 11.10.2018 to Borrower namely Sri Tapan Saha S/o. Sri Badal Chandra Saha, residing at, 3B, Gobinda Ghosal Lane, PS – Kalighat, Kolkata – 700 025, having a Guarantor namely Sri Sujan Modak, residing at, Premises No. 139, Feeder Road, Madhusudan Roy Chowdhury Road, Belghoria, Kolkata – 700 056, against the all the mortgaged piece and parcel of landed property as follows:

SCHEDULE OF PROPERTY

1) All that piece and parcel of one flat being No. A 413 measuring a Super built up area more or less 895 Square Feet on the Fourth floor, Right side of the building namely 'Chowdhury Tower', situated on the landed property measuring an area more or less 16 Cottah together with structure standing thereon lying and situated under Mouza – Belghoria, J.L.No – 3, Touzi No – 172, C.S.Khatian No. – 403, R.S.Khatian No – 1852, C.S.Dag No – 1390, R.S.Dag No – 1390 & C.S.Khatian No – 1175, 377, C.S.Dag Nos – 1390/1865, 1383, within the jurisdiction of Kamarhati Municipality, PS – Belghoria, Kolkata – 700 056. The Building is butted and bounded by North – 15' feet wide common passage thereafter phase – A i.e. B.N.Roy Chowdhury super market and Baidyanath Apartment, South – 10' feet proposed wide Road, thereafter tank of the owners, East – Vacant land thereafter railway line, West – Madhusudhan Roy Chowdhury Road. The Mortgaged Property stands in the name of Sri Tapan Saha S/o. Sri Badal Chandra Saha and being the registered Deed No. – I – 190411438 the year 2018 at the Office of the ARA – IV, Kolkata, 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 31.03.2021 due to non servicing of interest/ installment

3) Notice dated 13.07.2021 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. 24,20,388.34 (Rupees Twenty Four Lac Twenty Thousand Three Hundred Eighty Eight and Thirty Four Paise) only and the demand notice was received by the borrower on 22.07.2021 and the same was published in two daily news papers on 17.08.2021

4) The Authorised Officer of the secured creditor received no representation from the borrower in reply to demand notice u/s 13(2) dated 13.07.2021

5) The Secured creditor issued possession notice dated 15.12.2021 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 21.12.2021

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.

(Continued to page No. – 2)

(2)

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 09.06.2023 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 of PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016, the secured creditor and being satisfied, it is hereby ordered that Sri Biswanath Chakraborty, 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, 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, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016 shall intimate the date of possession of the secured asset to the Commissioner of Police, Barrackpore, North 24 - Parganas, as well as to, Sri Biswanath Chakraborty, 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 assets/Property of the secured creditor on behalf of District Magistrate, North 24- Parganas. The Commissioner of Police, Barrackpore, 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.

L. D. P.
31/07/23
District Magistrate,
North 24 - Parganas.

Date. - 01/08/2023

Memo No. J -15013(11)/ 2192 /1/5/2023/JM
Copy forwarded for information and necessary action to :-

1. The Commissioner of Police, Barrackpore, North 24- Parganas, with a request to comply with the said order.
2. The Sub Divisional Officer, Barrackpore, North 24- Parganas, with a request to comply with the said order.
3. Sri Biswanath Chakraborty, 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, PNB Housing Finance Limited, 7, Kyd Street, 5th Floor, Kankaria Mansion, Kolkata – 700 016.
5. Sri Tapan Saha S/o. Sri Badal Chandra Saha, residing at, 3B, Gobinda Ghosal Lane, PS – Kalighat, Kolkata – 700 025, having a Guarantor namely Sri Sujan Modak, residing at, Premises No. 139, Feeder Road, Madhusudan Roy Chowdhury Road, Belghoria, Kolkata – 700 056.

L. D. P.
District Magistrate
North 24-Parganas.

