

D/L.05.
March 23, 2026.
KAUSHIK

WPA No. 5626 of 2026

Cholamandalam Investment and
Finance Company Ltd. & Anr.
Vs.
State of West Bengal & Ors.

Mr. Asif Hussain
Mr. Arijit Ghosh
Mr. Rahul Modak
... for the petitioner

Mr. Rajat Dutta
Ms. Subhasri Chatterjee
... for the State

Affidavit of Service filed on behalf of the
petitioner be kept with the records.

The grievance of the petitioner is directed
against non-disposal of the application filed under
the Securitization and Reconstruction of Financial
Assets and Enforcement of Security Interest Act,
2002 (SARFAESI).

The application was filed on 25th July,
2025 before the District Magistrate, North 24-
Parganas.

The State is represented and is unable to
offer any justification for the inordinate and
unexplained delay in disposing of the matter. In
view of the above, let this matter appear on 30th
March, 2026.

It is made clear that the pendency of this
application will not prevent the concerned District

Magistrate from disposing of the application as expeditiously as possible. The State is also directed to provide the reasons for such delay and the names of concerned Officers in deliberately causing such intentional delay.

It is a matter of some concern that the statutory mandate under SARFAESI provides for an outer limit of 60 days by which such applications are to be disposed of. The unexplained and deliberate delay caused by the concerned State-respondent only enures to the benefit of the borrower and emasculates the very object of the Act.

(Ravi Krishan Kapur, J.)