

23.03.2026

Ct. No. 7
Sl. No. 8
RANJAN

WPA 6324 of 2026

**M/S. CHOLAMANDALAM INVESTMENT AND
FINANCE COMPANY LIMITED AND ANR.**

VS.

STATE OF WEST BENGAL AND ORS.

Ms. Srijani Ghosh

....for the Petitioners

Mr. Sandip Chakrabarty

Mr. Kaustav Das

Mr. Rahul Ghosh

....for the Respondent No. 3

Mr. A. C. Roy

Mr. S. Chakravarty

....for the State

This is a writ petition seeking expeditious disposal of an application under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short SARFAESI Act) filed on September 12, 2025.

It is submitted on behalf of the petitioner that in the proceeding pending before the office of the District Magistrate, Bankura necessary additional documents have already been filed on behalf of the petitioner as far back as in December, 2025. Despite, all steps having been taken by the petitioner, the Office of the District Magistrate, Bankura is deliberately, intentionally and mischievously not disposing of such application.

It is further submitted on behalf of the petitioner that despite the hearing of the proceeding under Section 14 having concluded the final order has deliberately not been passed.

The State is represented and prays for some further time to dispose of the application.

The respondent borrower is also represented and fairly submits that he has nothing to submit.

Let this matter appear on April 02, 2026 as a “Specially Fixed Matter.”

In the meantime, the State is directed to ensure expeditiously disposal of the application and pass the final order.

The pendency of this proceeding will not prevent the office of the District Magistrate to expeditiously dispose of the above application in accordance with law.

The State is also directed to provide justification as to why such application has been kept unnecessarily pending by the office of the District Magistrate, Bankura. It is needless to mention that such inordinate and unexplain delay only enures to the benefit of the borrower and defeats the provision of the SARFAESI Act.

(RAVI KRISHAN KAPUR, J.)