

IN THE HIGH COURT AT CALCUTTA  
CONSTITUTIONAL WRIT JURISDICTION  
APPELLATE SIDE

**WPA 7811 of 2026**

South Indian Bank and Anr.  
Vs.  
The District Magistrate, Howrah.

Mr. Victor Dutta  
... For the petitioner

Mr. Rajarshi Basu  
Mr. Ananda Dulal Sarkar  
...For the State respondent

1. The indisputable facts of this case reveal that a proceeding filed under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI) has been pending before the concerned District Magistrate, Howrah since 2019.
2. On behalf of the State it is fairly conceded that the fact of such application having been kept pending for such a considerable period of time is unacceptable and emasculates the object of the SARFAESI Act. In fact in the recent decisions *R.D. Jain and Company vs. Capital First Limited and Others (2023) 1 SCC 675*, *Au Small Finance Bank Vs. State Of Punjab and Others*, *IIFL Home Finance Ltd. Vs. State Of Haryana and Others*, *Bank Of Maharashtra Vs. District Magistrate, Hisar and*

*Others* passed, the High Court at Punjab and Haryana has awarded punitive costs on the officials of the District Magistrate.

3. In view of the submissions made on behalf of the State, let this matter appear on 7 May 2026. In the meantime, the concerned District Magistrate, Howrah is directed to ensure that the proceedings under section 14 of the Act are brought to the logical conclusion if necessary by taking actual physical possession of each of the secured assets.

**(Ravi Krishan Kapur, J.)**