

11.06.2026

Ct. No. 7
Sl. No. 9
RANJAN

WPA 11777 of 2026

**SRI ARUN DAS AND ANR.
VS.
THE STATE OF WEST BENGAL AND ORS.**

Mr. Ranjan Kali
Ms. Mitul Chakraborty
Ms. Payel Nath

....for the petitioners

Mrs. Indrani Chakraborty
Mr. Falguni Bandyopadhyay
Mrs. Sarda Sha

....for the State

Mr. Dwaipayan Banerjee
Mr. A. Ghosh
Ms. Mahima Mukherjee

....for the Respondent No. 5

The question of maintainability of the writ petition is left open. It is a peculiar state of affairs that notwithstanding an order having been passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), the bank has been unable to take possession of the secured asset. The clear mandate of Section 14 provides that an application is to be finally disposed of within a period of sixty days which includes the taking of possession of the secured asset.

Admittedly, the order under section 14 of SARFAESI Act was passed as far back as on 19.09.2025. In this situation, the Superintendent of Police, Purba Medinipur being the respondent no. 3 herein is directed to file a Report as to why

possession of the secured asset has not been taken till date. It is an admitted position that there is no stay nor embargo of the order dated 19.09.2025.

The Officer-in-Charge, Marishda Police Station being the respondent no. 4 herein is also directed to file a Report as to why there has been inaction on their part in implementing the order dated 19.09.2025.

In view of the fact that the respondent no. 5 is unable to intimate this Court as to whether police charges have paid or not, a responsible and competent officer of the respondent no. 5 is directed to be present in Court with necessary particulars.

Let this matter appear on June 16, 2026.

It is made clear that the pendency of this proceeding will not act as a stay or embargo in the respondents from acting expeditiously to implement the order dated 19.09.2025 in accordance with law.

The petitioner is also directed to serve a copy of this writ petition on Mrs. Indrani Chakraborty appearing on behalf of the State.

(RAVI KRISHAN KAPUR, J.)