

ORDER SHEET
(RULE 129 OF THE RECORDS MANUAL, 1917.)

Order Sheet Dated : 11.03.2022

District : Purba Medinipur

No. : 36/XKX/SARFAESI/27

Nature of Case : Proceedings u/s 14 of SARFAESI Act, 2002 and Security Interest (Enforcement) Rules, 2002

Name of the Petitioner (Secured Creditor) : Authorized Officer, UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- Tamluk, Dist- Purba Medinipur, Pin- 721636,

Name of the Respondent (Borrower) : Mr. Biswajit Bag, S/o- Kalipada Bag, Guarantor- Archana Bag,

Name & Address of Mortgagor : Mr. Biswajit Bag, S/o- Kalipada Bag, Guarantor- Archana Bag, Vill- Ramchandrapur, P.O- Burarihat, P.S - Kolaghat, Pin-721137, Dist- Purba Medinipur,

Serial number and date of order	Order and signature of Officer	Note of action taken on Order
11 th March, 2022	Whereas Authorized Officer, UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- tamluk, Dist- Purba Medinipur, Pin- 721636, has filed up a petition U/S 14 of SARFAESI Act, 2002, seeking administrative assistance for taking physical possession on the secured assets/property of the borrower namely : Mr. Biswajit Bag, S/o- Kalipada Bag, Guarantor- Archana Bag, And Whereas in the light of the above, the petition along with affidavits and other relevant documents submitted by the said Authorized Officer, UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- tamluk, Dist- Purba Medinipur, Pin- 721636, seeking administrative assistance in terms of sec 14(1) of the SARFAESI Act 2002, for taking over physical possession of the secure asset is/are seen and taken up for consideration. And Whereas from the documents and status report submitted by the Authorized Officer, It transpires that the secured creditor Granted a loan Rs. 3,50,000 on 22.12.2014 & 2,50,000 on 20.08.2015 to Borrower namely Mr. Biswajit Bag, S/o- Kalipada Bag, Guarantor- Archana Bag, Vill- Ramchandrapur, P.O- Burarihat, P.S - Kolaghat, Pin-721137, Dist- Purba Medinipur, against the mortgaged property as follows: <u>SCHEDULE OF PROPERTY.</u> EMTD OF LAND AND BUILDING MEASURING 1 ECIMAL, MOUZA- RAMCHANDRAPUR, JL. NO. 07, KHATIAN NO. 344/1, PLOT NO. 264, DEED NO. 4280/1998, BOOK NO- 1, VOL. NO. 34, PAGE- 152 TO 160, Whereas it transpires from the context that- 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 31.05.2017 due to non Payment of Interest/Principal. And Notice dated- 23.03.2018 U/S 13 (2) of SARFAESI Act, 2002 demanding payment for default amount was served to the defaulting borrower. The outstanding amount as mentioned in notice is Rs. 3,73,228.07 only and demand notice was received by the borrower on 23.03.2018, And The Authorized Officer of the secured creditor not received any representation from the borrower in reply to demand notice u/s 13(2) dated 23.03.2018,	

And

The secured creditor issued possession notice dated 22.09.2020 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 paper on 23.09.2020.

And

Thus the Authorized Officer of the secured creditor observed all the formalities as laid down in the SARFAESI Act of 2002 for realization of the said outstanding amount from the secured debtor.

And

Whereas, the Secured Asset is within the Jurisdiction of the District Magistrate, Purba Medinipur.

And

Whereas, the amount dues more than 20% of the Principal Advance and Security interest is not created in any agricultural land.

And

Whereas, the secured creditor wants to reconstruct their financial asset(s) after handing over and taking over physical possession of secured asset/property as scheduled 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

Whereas, for purpose of taking possession of the secured asset(s) and documents, the secured creditor requested the District Magistrate, Purba Medinipur u/s/ 14 of SARFAESI Act of 2002.

And

There is no stay order from any court of law, as submitted by the authorized Officer in his affidavit.

And

The property is not under lessee and tenancy as per affidavit, deed(s), records or all other relevant documents, as submitted by the Authorized Officer in his affidavit.

And

Due to Pressure of administrative works, this possession order could not be issued within the stipulated time period from the date of application to this office and on the basis of hearing on 10.12.2021 and after careful consideration of the contents of the affidavit including the 9 clauses mentioned u/s 14(1)B of the Securitization 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, UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- Tamluk, Dist- Purba Medinipur, Pin- 721636, (secured creditor) and being satisfied, it is hereby ordered as per amended section 14(1A) of the SARFAESI Act, 2002 that Shri Tapas Kumar Hajra, WBCS (Exe.), Block Development Officer, Koiaghat, Dev. Block, is hereby Authorized to take possession of such assets and documents relating thereto and to forward such assets documents to the secured creditor with police assistance.

And

Whereas Authorized Officer, , UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- Tamluk, Dist- Purba Medinipur, Pin- 721636, will intimate the date of possession of the secured assets to the Superintendent of Police, Purba Medinipur as well as to the Authorized Officer Shri Tapas Kumar Hajra, WBCS (Exe.), Block Development Officer, Kolaghat, Dev. Block, well in advance to take physical possession of the secured assets / property of the secured creditor on behalf of the District Magistrate, Purba Medinipur and the Superintendent of Police, Purba Medinipur will instruct the local police station to provide police assistance for maintenance of Law & Order as and when approached upon. The secured creditor will remain present at the time of taking over physical possession.

Let Photostat copy of this order is made available upon compliance of the required formalities.


District Magistrate
Purba Medinipur

Memo No. 36/102/SSIX/SARFAESI/07

Dated 11.03.2022

Copy forwarded for information and taking necessary action to :-

1. The Superintendent of Police, Purba Medinipur.
2. The Sub-Divisional Officer, Tamluk, Purba Medinipur.
3. Shri Tapas Kumar Hajra, WBCS (Exe.), Block Development Officer, Kolaghat, Dev. Block, Purba Medinipur – with a request to comply the said order.
4. The Officer-in-Charge, Kolaghat, Police Station,
5. The Authorized Officer, , UCO Bank, Tamluk Branch, Daharpur, P.O + P.S- Tamluk, Dist- Purba Medinipur, Pin- 721636, with a direction to initiate action.
6. The Borrower. : Mr. Biswajit Bag, S/o- Kalipada Bag, **Guarantor-** Archana Bag, Vill- Ramchandrapur, P.O- Burarihat, P.s – Kolaghat, Pin-72137, Dist- Purba Medinipur,


District Magistrate
Purba Medinipur