

Court No. 10
(1629)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

20.07.2025
(JPD 43)

WPA 901 of 2026

(S. Banerjee)

ICICI Home Finance Company Limited
Vs.
The State of West Bengal & Ors.

Mr. Milindo Paul
Mr. Nabankur Paul
Ms. Bedashruti Bose

... for the petitioner

Mr. Kunaljit Bhattacharjee, AGP
Mr. Samar Rakshit

... for the State

Affidavit-of-service filed in Court
today be kept with the record.

Learned advocate appearing for the
petitioner submits that the respondents
have been duly served.

In spite of service, none appears for
the private-respondents.

State is represented by the learned
AGP.

The petitioner, who is a secured
creditor, has approached the learned
ACJM, Siliguri under Section 14 of the
SARFAESI Act, 2002. The learned ACJM,

Siliguri passed an order dated June 26, 2025 and appointed an Advocate Commissioner to take physical possession of the secured assets. It appears from the order dated June 26, 2025 that the said order was forwarded to the Officer-in-Charge, Naxalbari Police Station.

Mr. Paul, learned advocate appearing for the petitioner submits that in spite of several representations being made to the police authorities, no effective steps have been taken by the police authorities to render assistance to the petitioner for the purpose of execution of the order under Section 14 of the Act of 2002. He submits that very recently by a letter dated July 7, 2026, the petitioner has been intimated about the per day cost per category of police personnel for the purpose of rendering necessary assistance to the petitioner. He submits that unless the total police cost is estimated and intimated to the petitioner, it would not be possible for the petitioner to deposit the police cost.

Faced with such situation, the learned AGP submits that the police cost would be assessed and intimated to the

petitioner within the time limit as may be fixed by this Court.

The Officer-in-Charge, Naxalbari Police Station, being the 4th respondent, is directed to assess the total police cost that may be required to be paid by the petitioner for the purpose of execution of the order dated June 26, 2025. Let such assessment be made and communicated to the petitioner as expeditiously as possible but positively within a period of two weeks from the receipt of a server copy of this order. Upon deposit of the police cost, a date for execution of the order shall be intimated by the police authorities to the petitioner and the Advocate Commissioner. The date for execution of the order shall be fixed within three weeks from the date of deposit of the police cost.

With the above observation and direction, this writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)