

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8897 of 2015**

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1. Md. Ghufuranuddin Haider, Son of Late Dr. Nizamuddin Ahmad, resident of B-14, New Azimabad Colony, Purvi Sandalpur Road at Mauza SDandampur, P.S. Sultanganj, P.O. Mahendru, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar, through the Chief Secretary, Government of Bihar, Patna.
2. The District Magistrate-cum-Collector, Patna-cum-District Registrar, Patna.
3. The Managing Director, Hudco, Bailey Road, Patna.
4. The Authorized Officer, Hudco, Bailey Road, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Shahabuddin Azeem @ S. Azeem  
For the Respondent/s : Mr. Gp24- Anshuman Singh

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**  
**ORAL ORDER**

2      20-07-2015              The petitioner has challenged the order dated 13.3.2015, passed by the authorities of the HUDCO, Bailey Road, Patna under section 13 (12) read with Rules 8 & 9 of the Security Interest (Enforcement) Rules, 2002 on failure of the borrower to pay the borrowed amount.

It appears that the borrower Nehal Akbar sold a property to Tanvir Alam and the petitioner in turn is purchaser from said Tanvir Alam. The petitioner has purchased the premises in question vide Annexure 1 without having due enquiry.

Counsel for the respondents submits that the petitioner

may seek remedy as well as interim stay of the order aforesaid before the appropriate authority under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Act No.54 of 2002) i.e. SERFACIE ACT.

In this view of the matter, the writ petition is disposed of with liberty to the petitioner to approach the appropriate authority within the said Act of 2002.

It goes without saying that if the petitioner files an application for condonation of delay in filing the petition before the appropriate authority, the same would be considered keeping in view that he was pursuing the matter before this Court.

**(Samarendra Pratap Singh, J)**

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