

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22323 of 2014

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1. M/s Jai Kishan Food Products Pvt. Ltd. situated at village Chandwa, P.S. Shivnagar, District Rohtas through one of its Director Sri Mahendra Kumar Chourasia
 2. Mahendra Kumar Chourasia, son of Sri Shiv Prasad, Director, M/s Jai Kishan Food Products Pvt. Ltd. having its office at Chandwa, P.S. Shivnagar, District Rohtas

.... Petitioners

Versus

1. Bank of India through its authorized officer, Zonal office, R-Block, Patna- 800001 having its numerous branches in the State of Bihar including at Sasaram Branch, Rohtas

.... Respondents

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Appearance :

For the Petitioner/s : Mr. D.K.Sinha, Sr.Adv.
Mr. Abhinay Raj, Adv.

For the Respondent/s : Mr. Nishi Nath Ojha
Mr. Sanjay Singh Thakur, Adv.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 19-01-2015 Heard learned counsel for the parties.

Having regard to the fact that the petitioners for redressal of their grievance against the action of the Bank under section 13(4) of the SARFAESI Act have already moved the Debt Recovery Tribunal by filing S.A.Case No. 244/2013, this Court for the time being will not like to exercise its power by interfering into the same issue but then this Court would also direct the Debt Recovery Tribunal to ensure that the case filed by the petitioners is not unnecessarily lingered.

Learned counsel for the Bank in fact has submitted that the Bank will also extend full cooperation in disposal of pending

case of the petitioner before the Debt Recovery Tribunal.

That being so, this writ application is disposed of with a direction to the D.R.T., Patna to dispose of the case of the petitioner expeditiously.

It goes without saying that if there would be any opportunity for the petitioner to seek any interim relief, the D.R.T., Patna in view of the prayer already made by the petitioner in pending stay petition, I.A. No. 3 of 2014, shall pass an appropriate order in accordance with law.

surendra/-

(Mihir Kumar Jha, J)

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