

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.9523 of 2011**

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M/S Kishun Nagar Cold Storage Pvt. Ltd. a Company registered under Companies Act 1956 through one of its Director, Mr. Arun Kumar, son of Kapildeo Chaudhary, resident of Village- Dhewhan, P.O. Kanti, P.S. Kanti, Dist. Muzaffarpur

.... .... Petitioner/s

Versus

1. The Chief General Manager, ICD, National Bank for Agriculture and Rural Development, Mumbai.
2. The General Manager, NABARD, Maurya Lok Complex, Block-B, 4th & 5th Floor, Dak Bunglow Road, Post Bag No. 178, Patna- 1.
3. Deputy General Manager, NABARD, Maurya Lok Complex, Block-B, 4<sup>th</sup> & 5<sup>th</sup> Floor, Dak Bunglow Road, Post Bag No. 178, Patna-1.
4. Asstt. General Manager, NABARD, Maurya Lok Complex, Block-B, 4<sup>th</sup> & 5<sup>th</sup> Floor, Dak Bunglow Road, Post Bag No. 178, Patna-1.
5. State Bank of India, through its Chief General Manager, Gandhi Maidan, Head Office, Patna.
6. The Zonal Manager, State Bank of India, Gandhi Maidan, Patna.
7. The Regional Manager, State Bank of India, Muzaffarpur.
8. The Chief Manager, State Bank of India, Muzaffarpur Branch, Red Cross Building, Muzaffarpur.
9. The General Manager, State Bank of India RASMECC, Administrative Office, Muzaffarpur.
10. The Asstt. General Manager, State Bank of India RASMECC, Administrative Office, Muzaffarpur.
11. The Asstt. Director, National Horticulture Board, 501/502, Verma Centre, Boaring Road Crossing, Patna.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Respondent/s : Mr. Navendu Kumar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 01-10-2015**

The present writ petition has been filed for quashing the notice No. 2220 dated 01.03.2011 under Section 13(2) of the SARFAESI Act and for connected reliefs.

2. In course of submissions, learned counsel for the petitioner states that pursuant to the notice under Section 13(2)

of the SARFAESI Act, it has filed an objection dated 26.04.2011 denying the allegations and challenged the action of the Bank. He however is not in a position to confirm whether or not the said objection has in fact been disposed of.

3. In the above view of the matter and with consent of the parties, the present writ petition is disposed of, granting liberty to the petitioner to pursue his objection dated 26.04.2011 said to have been filed in response to the notice under Section 13(2) of the SARFAESI Act. In case such objection has been filed and remains pending, the respondent authorities shall consider and dispose of the same by a speaking order in accordance with law.

**(Vikash Jain, J)**

Md. Ibrarul/-

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