

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10300 of 2011

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Onkar Nath, Son of Sri Baidyanath Singh resident of Village Nagwan, P.O. Nagwan, P.S. Naubatpur, District Patna.

.... Petitioner

Versus

1. The Punjab National Bank a Government of India undertaking incorporated under the Companies Act with its registered Head Office at 7, Bhikhay G Kama Palace, New Delhi.

2. Directorate of Khadi Gramodyog Sangh, Khadi and Village Industries Commission, 3, IRLA Road Vila Parie (West) Mumbai-56

3. Ranjan Kumar, S/o Sri Baidyanath Singh, resident of Village & P.O. Nagwan, P.S. Naubatpur, District Patna.

.... Respondents

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Appearance :

For the Petitioner : None

For Respondent-Bank : Mr. Suresh Pd. Singh No.1, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 14-10-2015 None appeared on behalf of the petitioner despite repeated calls yesterday. Once again none has appeared on behalf of the petitioner on repeated calls today.

2. Learned counsel for the respondent-Bank has filed a counter affidavit which is placed on record. It is submitted that the present writ petition is not maintainable in the face of alternative remedy available to the petitioner in terms of Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, “SARFAESI Act”), apart from the fact that the proceedings under the said Act are valid as nature of the land of entire Mauza Digha has now changed from agricultural land into commercial

/residential land.

3. Be that as it may, this writ petition is dismissed
for non-prosecution.

(Vikash Jain, J)

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