

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20772 of 2010

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Sanjeev Kumar Lakhaiyar, son of late Bijoy Kumar Lakhaiyar, resident of Lakhaiyar House, P.S.& Mohalla-Kadam Kuan, District-Patna.

.... Petitioner/s

Versus

1. The Allahabad Bank through Authorized Officer under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002, Zonal Office, Budh Marg, Patna-800001.
2. The Branch Manager, Allahabad Bank, Patliputra Colony Branch, Patliputra Colony, Patna.
3. Ratnesh Kumar Lakhaiyar, son of late Akhileshwar Prasad Lakhaiya, resident of Lakhaiyar House, Behind Jahaji Kothi, Mohalla-Kadamkuan, P.S.-Kadamkuan, District-Patna at present Flat No.201, 2nd floor, Patliputra Enclave, Nehru Nagar, Gosain Tola More, P.S.-Patliputra, District-Patna.
4. Vinay Kumar Singh, son of late Shiv Nandan Prasad, resident of village-Pohiyar, P.S.-Deshri, District-Vaishali, at present resident of 261, Nehru Nagar, P.S.-Patliputra, District-Patna.
5. The Debt Recovery Tribunal, Patna Bench, Bank Road, Near Bank Road Masjid, Goal Ghar, Patna through Registrar.
6. The Union of India through the Debt Recovery Tribunal, Patna Bench, Bank Road, Near Bank Road Masjid, Goal Ghar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Jha
For the Respondent nos.1&2: Mr. Ajay Kumar Sinha
For the Respondent no.3 : Mr.Lakmesh Marvind
For the respondent no.4 : Mr.N.C.Verma
Mr.B.Prasad
Mr.N. Verma
For the Respondent nos.5&6: Mrs.Kanak Verma, CGC

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

7 27-04-2015 After having heard the parties, this Court does not find any good ground to interfere with the order dated 01.12.2009 (Annexure-12) passed in S.A.No.44 of 2008 by the learned Debts Recovery Tribunal, Patna, whereby the aforesaid SARFAESI Appeal filed by the respondent no.3 has been disposed of with certain observations and directions. The petitioner challenges the aforesaid order mainly on the ground of certain observations made

in the order that legal action shall follow if the aforesaid order is not complied with.

Learned counsel appearing on behalf of the petitioner has fairly conceded that no legal action has been taken against the petitioner in the light of the observations made in the aforesaid order dated 01.12.2009.

The present writ petition seems to be completely misconceived and is, accordingly, dismissed.

(Birendra Prasad Verma, J)

Arvind/-

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