

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17459 of 2010

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Ashok Kumar @ Ashok Kumar Sah, S/O Late Gulab Chand Shah, R/O
Moh-Mia Chak, Chatti Road, P.S. Begusarai, Distt-Begusarai

.... Petitioner/s

Versus

1. The Canara Bank, J.C.Road, Bangalore, State Of Karnataka, through its
Chief General Manager
2. The Chief General Manager, Canara Bank J.C.Road, Bangalore,
Karnataka
3. The Zonal Manager, Canara Bank Zonal Office, Patna, Bihar
4. The Regional Manager, Canara Bank, Regional Office Muzaffarpur,
Bihar
5. The Authorized Officer, SARFAESI Act, 2002, Canara Bank Regional
Office, Muzaffarpur
6. The Branch Manager, Canara Bank Begusarai Branch , Begusarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kr.Jamuar

For the Respondent/s : Mr. Rajan Ghoshrave

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 10-04-2015 The issue involved in the present writ petition is the
action taken by the respondent Canara Bank under Section 13(2)
of The Securitization and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002 (SARFAESI Act,
2002).

Under the SARFAESI Act, 2002, against the notice
under Section 13(2), the petitioner has an alternative and
efficacious remedy before the prescribed authorities. But, instead
of approaching the prescribed authorities, the present writ petition
has been directly filed before this Court under Article 226 of the
Constitution of India.

In view of the fact that the petitioner has an alternative
and efficacious remedy under the SARFAESI Act, 2002 itself and

in view of the judicial pronouncement by the Hon’ble Apex Court in the case of United Bank of India Vs. Satyawati Tondon [(2010) 8 SCC 110], the present writ petition is completely misconceived and is, accordingly, dismissed.

However, the petitioner shall be at liberty to approach the prescribed authorities for redressal of his valid grievances.

(Birendra Prasad Verma, J)

Arvind/-

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