

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19789 of 2011

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1. Smt. Madhu Devi W/O Pradeep Kumar Dwivedi Proprietor M/S Chandra - Sakhi Industrial Corporation at Muriyari, P.O. Bishunpura Bazar, P.S. Mairwa, District - Siwan, Residing at Village Srinagar, P.O. Langarpura Mairwa, District - Siwan
 2. Pradeep Kumar Dwivedi S/O Late Basudeo Dwivedi Resident of Village Srinagar, P.O. Langarpura P.S. Mairwa, District - Siwan
 3. Shyam Kumar Dwivedi S/O Late Basudeo Dwivedi Resident of Village Srinagar, P.O. Langarpura , P.S. Mairwa, District - Siwan
 4. Smt. Chandrawati Devi W/O Late Basudeo Dwivedi Resident of Village Srinagar, P.O. Langarpura P.S. Mairwa, District - Siwan
 5. Santosh Kumar Dwivedi S/O Late Basudeo Dwivedi Resident of Village Srinagar, P.O. Langarpura P.S.Mairwa, District - Siwan

.... Petitioner/

Versus

1. The State of Bihar
2. The State Bank of India through the Branch Manager Mairwa Branch, P.O + P.S. - Mairwa, Dist. Siwan
3. The Branch Manager, SBI Mairwa Branch, P.O. & P.S. Mairwa, District - Siwan
4. The Chief Manager, SBI Siwan Branch, P.O. & P.S. Siwan District - Siwan
5. Secretary, Finance Department, Bihar, Patna

.... Respondents

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Appearance :

For the Petitioner/s : None
For the Resp. Bank : Mr. Niraj Kumar Sinha, Advocate
For the State : Mr. Lokesh Kumar Singh, AC to SC 26

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 15-10-2015

None appears on behalf of the petitioners despite repeated calls.

2. Learned counsel for the Respondent Bank submits that the action of the respondents is fully justifiable. He refers to para 12 of the counter affidavit filed on behalf of the Respondent Bank to submit that the notice under Section 13(2) of the SARFAESI Act is correct since the loan account of M/s Dwivedi Auto Sales Corporation had already been

declared NPA on 31.01.2010 and the said loan account had become inoperative from 22.10.2009 after the death of the sole proprietor of the said firm with the result that the said loan account had become bad.

3. Be that as it may and in view of non-appearance on behalf of the petitioners, the writ petition stands dismissed for non-prosecution.

(Vikash Jain, J)

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