

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6107 of 2014

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Nand Kishore Yadav, S/o Late Raghu Nath Yadav, Resident of Muhalla- Salempur
Mahadewa, P.O. and P.S. - Siwan

.... Petitioner

Versus

1. The Syndicate Bank through its Regional Manager, Regional Office, Frazer Road, Patna
2. The Authorized Office, Syndicate Bank Moti Market Babunia More, Siwan
3. The Manager Syndicate Bank Moti Market Babunia More, Siwan

.... Respondents

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Appearance :

For the Petitioner : Mr. Raj Kishore Prasad, Advocate

For the Respondents: Mr. Sanjiv Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 18-01-2016

The present writ petition has been filed for various reliefs in the backdrop of the order dated 30.01.2013 passed in S.A. No. 20 of 2013 by the Debts Recovery Tribunal, Patna.

2. At the very outset, learned counsel for the respondent-Bank submits that the writ petition has become infructuous as in the appeal the petitioner has only prayed for grant of six months extension for making payment to the Bank which has since elapsed. Moreover, if the petitioner is aggrieved by the order of the Debts Recovery Tribunal, Patna, his remedy lay before the Debts Recovery Appellate Tribunal in terms of Section 18 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI

Act’).

3. This Court is in agreement with the submission of the respondents that the petitioner has adequate alternative remedy for redressal of his grievances. This Court is not inclined to consider the prayer of the petitioner in its extraordinary writ jurisdiction.

4. The writ petition accordingly stands dismissed. The interlocutory application also stands dismissed.

(Vikash Jain, J)

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