

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1156 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 33 of 2015
Along with
Interlocutory Application No.4857 of 2015

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Sohan Prasad, Son of Jay Ram Prasad, Resident of Mohalla - Kathaltola, P.O. Sohsarai Bihar Sharif, P.S. Sohsarai, District – Nalanda.

.... Petitioner-Appellant/s

Versus

1. The United Bank of India through its General Manager, Head office 11, Hemanta Basu Sarani, Kolkata – 700001.
2. The Regional Manager, United Bank of India, Regional office, Abhay Bhawan, 2nd Floor, Frazer Road, Patna – 800001.
3. The Manager, United Bank of India, Head office 11, Hemanta Basu Sarani, Kolkata – 700001.
4. The Authorized officer, United Bank of India, Patna Regional office, Abhay Bhawan, 2nd Floor, Frazer Road, Patna – 80000.1

.... Respondents- Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Kumar Pandey, Advocate
For the Respondent/s : Mr. Binod Bihari Sinha, Advocate
Mr. Ajay Dutt Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 21-10-2016

Re.: Interlocutory Application No.4857 of 2015

The application is for condonation of delay of 21 days in filing of the present Letters Patent Appeal.

For the reasons mentioned in the application, we find that sufficient cause is made out for condonation of delay. Consequently, we condone the delay in filing of the present Letters Patent Appeal.

Interlocutory Application stands allowed accordingly.

Re.: Letters Patent Appeal No.1156 of 2015

The challenge in the present Letters Patent Appeal is to an order passed by the learned Single Bench of this Court on 19th January, 2015 whereby the appellant was given liberty to approach the Debts Recovery Tribunal against an action taken under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

We do not find any error in the order passed by the learned Single Bench as the Statute provides effective alternative statutory remedy.

In view of the effective alternative statutory remedy available to the appellant, we do not find any cause to interfere in the writ jurisdiction of this Court.

Consequently, the Letters Patent Appeal is dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	N. A. F. R.
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