

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.878 of 2013

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1. Smt. Ranju Singh, W/O Shri Kartik Kumar 153, Patliputra Colony, P.S. - Patliputra, District- Patna-800013.
 2. Shri Vishal Kumar, S/O Shri Kartik Kumar, 153, Patliputra Colony, P.S.- Patliputra, District- Patna-800013.

.... Petitioner/s

Versus

The Dy. General Manager, Stressed Assets Management Branch, State Bank of India, Judges Court Road, Gandhi Maidan, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Jha
For the Respondent-Bank	:	Mr. Aditya Sharan
		Mr. Prabhat Kumar Sharan
		Mr. Hemant Kumar Sharan

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

9 22-02-2016 Heard Mr. Arbind Kumar Jha, learned counsel
appearing for the petitioners and learned counsel for the Bank.

While the two writ petitioners question the communication dated 11.1.2011 placed at Annexure-5 to the writ petition, whereby the Bank has informed M/s Karthik Kumar to liquidate the dues outstanding against his other units and while informing as such has also communicated the extension of charge over the properties situated at 153, Patliputra Colony, Patna on 14.12.1998 and even while Mr. Arbind Kumar Jha, learned counsel appearing for the petitioners who are admittedly the guarantors before the Bank in respect of the loan in question has chosen to submit that in the light of the

order passed by Debt Recovery Tribunal in O.A. Case No.2 of 2002 placed at Annexure-6 the petitioners are entitled to the return of the documents but the order on which Mr. Jha relies shows that these petitioners were parties to the proceedings in O.A. Case No.02 of 2002 but they did not choose to appear or respond to the contest nor voiced any grievance as per the relief so prayed herein before the tribunal. On the contrary the petitioners have tried to bypass statutory provisions and statutory remedy available by moving in the present writ petition for return of the original paper relating to the property at 153, Patliputra Colony, Patna. The conduct of the petitioners discussed above does not warrant any indulgence.

The writ petition is dismissed.

(Jyoti Saran, J)

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