

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18549 of 2015

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Balajee @ Vinay Kumar Saha, age about 32 years son of late Sri Mantu Prasad Kaseria, resident of Mohalla- Purani Bazar, Tarapur, District Munger.

.... Petitioner

Versus

1. United Commercial Bank through its Zonal Manager, Patna.
2. The Regional Manager, United Commercial Bank, Patna.
3. The Branch Manager, United Commercial Bank, Tarapur, Branch, Tarapur, Munger.
4. Ranjan Kumar Singh Son of Vivekanand Singh Resident of At Narayanpur P.O. Asarganj, P.S. Tarapur, District Munger.

.... Respondents

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Appearance :

For the Petitioner : Mr. Deepak Kumar Sinha, Advocate

For the Respondents : Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 22-06-2016

The present writ petition has been filed against the order dated 11.08.2015 passed by Debts Recovery Tribunal, Patna by which Tribunal has dismissed the SARFAESI application vide S.A. No. 60 of 2015 which has been filed against the possession notice dated 03.06.2014 and sale notice dated 16.02.2015 for recovery of Rs. 26,78,578/- ; and for connected reliefs.

2. At the very outset, learned counsel for the respondents raises a preliminary objection that statutory alternative remedy is available to the petitioner in terms of Section 18 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short, 'SARFAESI Act') against the impugned order.

3. Learned counsel for the petitioner does not dispute such contention.

4. In the above view of the matter, the writ petition stands dismissed with liberty to the petitioner to seek redressal of his grievances before the appropriate forum as may be available to him in accordance with law.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
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