

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5531 of 2014

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Nirajmani Tiwary Son of Madhusudan Mani Tiwary Resident of Mansa Rout,
Basant Bihar Sariswa Road, Bettiah, District - West Champaran

.... Petitioner/s

Versus

1. The Authorized Officer Central Bank of India, Bettiah
2. The Branch Manager, Central Bank of India, Lal Bazar Branch Hazarimal
Dharamshala , Lal Bazar, Dist. - West Champaran, Bihar

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. ALOK KUMAR CHOUDHARY, ADVOCATE
Mr. MANOJ KUMAR, ADVOCATE

For the Respondent/s : Mr. AJAY KUMAR SINHA, ADVOCATE

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-02-2016

Heard learned counsel for the petitioner and learned
counsel for the respondent Bank.

2. The present writ petition has been filed for quashing
the notice dated 30.01.2014 (Annexure-8) issued to the petitioner
by the Authorized Officer, Central Bank of India, Bettiah for
possession of the securities charged to the Bank under Section
13(4) of Securitization and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002 (for short "the
SRFAESI Act") and for connected reliefs.

3. At the very outset, learned counsel for the petitioner
accepts that the impugned notice dated 30.01.2014 is amenable to

statutory appeal in terms of Section 17 of the SARFAESI Act.

4. Learned counsel for the Respondent Bank has no objection if the writ petition is disposed of in the light of the above.

5. In that view of the matter, the present writ petition is disposed of with liberty to the petitioner to file statutory appeal in accordance with law, if so advised.

(Vikash Jain, J)

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