

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8109 of 2012

Sipahi Prasad Kasari S/O Late Ramjee Prasad r/o Village- Karnamepur, P.S.-
Sahpur, Distt.- Bhojpur (Ara)

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. Of Bihar, Patna, Old Secretariat, Patna
2. Regional Manager, Madhya Bihar Gramin Bank, Ara, Distt.- Bhojpur, Ara
3. Branch Manager, Madhya Bihar Gramin Bank, Karnamepur, P.S.- Sahpur, Distt.- Bhojpur, Ara

.... Respondents

Appearance :

For the Petitioner/s	:	Mr. Shiopujan Singh
For the Resp. bank	:	Mr. M.N.Parbat, Sr. Advocate Mr. Sanjay Kumar Jha, Advocate Mr. Praveen Prabhakar, Advocate
For the State	:	Mr. Ravi Shankar Prasad, AC to GP VII

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-05-2016

Heard learned counsel for the petitioner and learned counsel for the respondents.

2. The present writ petition has been filed for a direction to the respondent bank not to recover the amount of Rs. 2,85,177/- from the petitioner.

3. Learned counsel for the petitioner submits that a C.C. Account loan of Rs. 2,50,000/- was sanctioned to the petitioner in the year 2005 but recovery of the due amount is being sought to be made without indicating the rate of interest.

4. Learned senior counsel appearing on behalf of the respondent bank opposes the writ petition, submitting that the same is not maintainable as the

petitioner has approached this Court at the stage of issuance of notice under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in respect of which the petitioner has statutory remedy of filing a petition under Section 13(3) A of the said Act.

5. In the above view of the matter, the writ petition is devoid of merit and is dismissed as such.

(Vikash Jain, J)

Chandran

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	