

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6292 of 2014

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1. Mukesh Kumar Tiwary Son Of Uma Kant Tiwary Resident Of Village + P.O. -
Nariyar, P.S. + District - Saharsa

.... Petitioner/s

Versus

1. The Central Bank Of India Through Its Zonal Manager, Patna
2. The Zonal Manager, Central Bank Of India, Patna
3. The Regional Manager, Sharsa Region, Central Bank Of India, Saharsa
4. The Branch Manager, Central Bank Of India, Main Branch, Saharsa, D.B. Road,
Saharsa

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.

For the Respondent/s : Mr. Nishi Nath Ojha, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-02-2016

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

2. The present writ petition has been filed against the
notice issued by respondents dated 19.12.2014 under Section
13(4)(a) of the SARFAESI Act and the notice dated 21.02.2014
by which possession of the property of the petitioner has been
taken.

3. At the very outset, it is observed that the
impugned notice under Section 13(4)(a) of the SARFAESI Act
(for short, "the Act") is amenable to statutory appeal in terms of
Section 17 of the said Act which is capable of providing adequate
relief to the petitioner. Without availing of the same, however,

the petitioner appears to have approached this Court, in view of which this Court is not inclined to entertain the writ petition. The writ petition is accordingly dismissed.

4. It is made clear that the petitioner is always at liberty to approach the appellate forum in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/-

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