

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13196 of 2016

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M/s. Sajawat Ghar, Proprietor Ramjee Tiwari, son of Shri Kanhiya Tiwari, resident of Dumraon Chowk, Near State Bank of India, Dumraon, permanent address- Shiv Nandan Mishra Ki Gali, Dumraon, P.S.- Dumraon, District-Buxar

.... Petitioner

Versus

1. The General Manager, UCO Bank (United Commercial Bank) , Head Office, 10 B.T.M., Sarani, Kolkata
2. The Director, UCO Bank, 8th Floor, 10 B.T.M., Sarani, Kolkata
3. The Zonal Manager, UCO Bank, Zonal Office, Maurya Lok Complex, 4th Floor Block 'A' Near Dak Bunglow Road, Patna-1
4. The Authorized Officer, UCO Bank, Zonal Office, Maurya Lok Complex, New Dak Bunglow Road, Patna
5. The Branch Manager, UCO Bank, Dumraon, P.S.- Dumraon, District-Buxar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Nil Kamal, Advocate

For the Respondent/s : Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

2 26-08-2016 Heard learned counsel for the petitioner and learned counsel for the UCO Bank.

Learned counsel for the Bank, at the outset, points out that not a single document is on the record to show that the petitioner had at any time approached the Bank with regard to the so-called burning down of his shop and the document on the record without any receipt by the Bank appears to have been created for the purpose of writ petition. It is further submitted that the petitioner has alternative statutory remedy in the matter under the provisions of the SARFAESI Act.

On a consideration of the facts and circumstances of the case and considering the fact that the petitioner has alternative remedy, the writ application is dismissed on the ground of maintainability.

(Ramesh Kumar Datta, J)

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