

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4756 of 2012

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Anil Kumar Singh, son of Late Baijnath Singh, resident of village- Fulwaria, P.S-
Fulwaria, P.O- Barauni, District- Begusarai.

.... Petitioner

Versus

1. The State Bank of India, through Senior Manager, State Bank of India, Brauni Branch, Begusarai.
2. The Senior Manager, State Bank of India, Brauni Branch, Begusarai.
3. The Information Officer-cum- Branch Manager, State Bank of India, Brauni Branch, Begusarai.
4. The Authorised Officer, State Bank of India, Begusarai.
5. The Regional Manager and Central Public Information Officer, Regional Business Office, State Bank of India, Begusarai.
6. The District Magistrate, Begusarai.

.... Respondents

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Appearance :

For the Petitioner : Mr. Prakash Chandra Jha,
Mr. Ranjeet Kumar, Advocates

For the Respondents : Mr. Kaushlendra Kr. Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-05-2016

The present writ petition has been filed for quashing of notice under Section 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, 'SARFAESI Act') read with Rule 8 of the Security Interest (Enforcement) Rules, 2002 issued under the signature of Authorized Officer, State Bank of India (for short, 'SBI'), Begusarai and for connected reliefs.

2. At the very outset, this Court takes note that the petitioner has statutory remedy against the notice under Section 13(4) of the SARFAESI Act impugned herein, which has not been availed of.

3. In that view of the matter, the writ petition is dismissed granting liberty to the petitioner to seek redressal of his grievances before the statutory forum appropriately available to him in accordance with law.

4. It is made clear that in case such a petition is filed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

B.T/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.05.2016
Transmission Date	N/A