

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18021 of 2012

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Arvind Kumar Choudhary son of Banshi Choudhary, resident of village-Jhilganj,
Ram Nagar Colony, Pahsi, P.O.-New Godown, P.S.-Kotwali, District - Gaya

.... Petitioner

Versus

1. State Bank of India, through the Authority Officer RBO, 3rd Floor, Main Branch, Gaya
2. Sri Amar Singh, son of Late Doman Singh, resident of Mohalla-Ramdhanpur, Papal Gali, P.S.-Kotwali, District - Gaya
3. Smt. Devanti Devi, wife of Sri Amar Singh, resident of Mohalla-Ramdhanpur Papal Gali, P.S.-Kotwali, District-Gaya
4. The Debts Recovery Tribunal through its Registrar, 34, Lal Bhawan, Opp. New Police Lines, Bank Road, Lodipur, Patna

.... Respondents

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Appearance :

For the Petitioner : None

For Respondent-Bank : Mr. Kaushlendra Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-09-2016

The present writ petition has been filed for the following

reliefs –

“(i) For quashing the order dated 20.04.2012 passed in M.A. No. 167 of 2012 whereby and whereunder the Debt Recovery Tribunal without any reason given indulgence to opposite party no. 2 and directed him to deposit the money and to retain the property which was purchased by the petitioner in the auction sale conducted by respondent no. 1.

(ii) For quashing the order dated 26.03.2012 passed in M.A. No. 88 of 2012 and M.A. No. 93 of 2012 whereby and whereunder the respondent nos. 2 and 3 were directed to pay the loan amount by 30.03.2012.

(iii) For quashing the order dated 13.02.2012 passed in

S.A. No. 09 of 2012 whereby and whereunder without holding any infirmity in the sale proceeding directed the respondent no. 2 to deposit the money by April, 2012.

(iv) For the further direction to the respondent no. 1 to issue sale certificate in favour of the petitioner and also honour the auction sale which has been conducted as per the rules.

(v) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

2. None appears on behalf of the petitioner despite repeated calls today.

3. At the very outset, learned counsel for the respondent-Bank submits that the writ petition is not maintainable in view of the statutory alternative remedy available to the petitioner for redressal of his grievances raised in the present writ petition.

4. Having regard to the submissions of the learned counsel for the respondent-Bank, this Court is not inclined to enter into the merits of the matter. The writ petition stands dismissed.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.09.2016
Transmission Date	N.A.