

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5707 of 2013

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Kavita Singh W/O Sri Anmol Kumar Singh, Resident of Village- Gangauli, P.O.-
Maharajganj, P.S.- Banmankhi, District- Purnea at present Vikas Vihar Colony,
P.S.- Rupaspur, District- Patna

.... Petitioner

Versus

1. The Central Bank of India, through its Zonal Manager, Patna Zone, Patna
2. The Regional Manager, Central Bank of India, Regional Office, Maurya Lok
Complex, Patna
3. The Branch Manager, Central Bank of India, Main Branch, Patna
4. Sanjeev Kumar Mishra S/O Late Chandra Shekhar Mishra R/O Village-
Jurabanpur Barari, P.S.- Jurabanpur Karari, District- Vaishali and at present
Resident of New Harnichak (Balmichak), P.S.- Beur, P.O.- Anisabad, District-
Patna

.... Respondents

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Appearance:

For the Petitioner: Mr. Ram Chandra Sahni, Advocate

For the Respondents: Mr. Ajay Kumar Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-07-2016

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

2. The present writ petition has been filed for quashing the
possession notice dated 11.02.2013 (Annexure-3) issued u/s 13(4) of
the Securitization and Reconstruction of Financial Assets and
Enforcement of Security Interest Act, 2002 by the authorized officer of
Central Bank of India, Main Branch, Patna.

3. At the very outset, this Court takes note that the petitioner
has statutory remedy against the impugned notice dated 11.12.2013

aforesaid before the Debts Recovery Tribunal in terms of Section 17 of the SARFAESI Act.

4. Mr. Ram Chandra Sahni, learned counsel for the petitioner, has not been able to show otherwise.

5. In the above view of the matter, this Court is not inclined to enter into the merits of the claims raised in the writ petition which accordingly stands dismissed, with liberty to the petitioner to approach the appropriate forum available to her in accordance with law.

6. It is expected that the respondents shall not resort to coercive action against the petitioner for a period of four weeks from today in order that the petitioner may take appropriate steps in the matter as above.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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