

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21322 of 2012

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1. Jai Ambey Regency Private Limited, A Company registered under the Companies Act, 1956 and having its registered office at House No. 3, Road No. 1A, Shiv Puri, P.O.- Shastri Nagar, District - Patna, through it's Managing Director, Shri Ranvir Rai @ Ranvir Ray
 2. Shri Ranvir Rai @ Ranvir Ray S/O Chandrika Ray R/O Village- Mekara Bujurg, P.S.- Mokama, Barh, District- Patna, Bihar.
 3. Smt. Manju Malal Rai @ Manju Mala Ray W/O Shri Ranvir Rai @ Ranvir Ray R/O Village- Mekara Bujurg, P.S.- Mokama, Barh, District- Patna, Bihar

.... Petitioners

Versus

1. Housing and Urban Development Corporation Limited, through it's Regional Chief at 2nd Floor, Block B/2, Mauryalok Complex, Dak Bungalow Road, P.S.- Kotwali, District- Patna
2. The Regional Manager, Housing and Urban Development Corporation Limited, at 2nd Floor, Block B/2, Mauryalok Complex, Dak Bungalow Road, P.S.- Kotwali, District- Patna
3. The Union of India through the Secretary, Department of Finance, Union of India, New Delhi
4. The Secretary, Department of Finance, Union of India, New Delhi
5. The Debt Recovery Tribunal For The State Of Bihar At Patna Through Its Registrar At Patna
6. The Registrar Debt Recovery Tribunal for the State of Bihar at Patna, 34, Bank Road, Lodhi Pur, Patna, District- Patna

.... Respondents

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Pandey No. 5, Adv.
For the HUDCO : Mrs. Naamrate Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-10-2016

The present writ petition has been filed for quashing the ex-parte judgment and certificate dated 26.03.2012 passed in O.A. Case No. 59 of 2011 by the Debts Recovery Tribunal, Patna, determining an amount of Rs. 1,07,84,800/- has been payable by the petitioners.

2. At the very outset, this Court takes note that the

petitioners has adequate statutory remedy in terms of Section 20 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 by way of an appeal before the Appellate Tribunal against the impugned judgment dated 26.03.2012 (Annexure-1) for appropriate relief.

3. In the above view of the matter, this Court is not inclined to interfere in the matter and the writ petition accordingly stands dismissed with liberty to the petitioners to take recourse to statutory remedy for redressal of their grievances.

4. It is made clear, in such event the learned Tribunal would have regard to the present proceeding being pursued by the petitioners while considering any issue relating to condonation of delay, if bar of limitation be applicable.

(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	05.10.2016
Transmission Date	N.A.