

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22157 of 2012

1. Mukesh Kumar  
2. Ajay Kumar, both sons of Late Ram Babu Singh R/O Saidpur Gali No.-2, P.S.-  
Kadamkuan, District- Patna

.... .... Petitioners

Versus

1. The Central Bank of India Regional Office-B Block, 2nd Floor, Maurya  
Complex, P.S.- Kotwali, Distt.- Patna  
2. The Regional Manager, Central Bank of India Regional Office-B Block, 2nd  
Floor, Mauryalok Complex, P.S.- Kotwali, Distt.- Patna  
3. Mr. N.K. Jha, Senior Branch Manager Central Bank of India, Nayatola Branch,  
P.S.- Kadamkuan, Distt.- Patna  
4. The Central Bank of India, having its Head Office at Chandramukhi Nariman  
Point, Mumbai-400021.  
5. The Authorised Officer, Central Bank of India, Regional Office-B Block, 2nd  
Floor, Maurya Complex, P.S.- Kotwali, Distt.- Patna

.... .... Respondents

**Appearance:**

For the Petitioners : Mrs. Rina Sinha, Advocate  
For the Respondents : Mr. Ajay Kumar Sinha, Advocate

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL JUDGMENT

**Date: 18.10.2016**

Heard the parties.

2. The present writ petition has been filed for setting aside  
the orders dated 13.02.2012 and 27.08.2012 passed by the Presiding  
Officer, Debts Recovery Tribunal, Patna in S.A. No. 159 of 2011 and  
O.A. No. 205 of 2011.

3. Learned counsel for the respondent Bank raises a  
preliminary objection on the maintainability of the writ petition,  
submitting that the writ petition challenging separate orders passed  
under two separate enactments cannot be maintained. It is further

submitted that in any event both the impugned orders are amenable to statutory appeal. Moreover, the writ petition also suffers from the vice of non-joinder of necessary parties as respondents, inasmuch as the claim of the petitioner is founded upon the plea of fraud attributed to one Dilip Kumar, brother of the petitioner.

4. This Court is in agreement with the submissions of learned counsel for the respondent bank. The writ petition accordingly stands dismissed, with liberty to approach the appropriate forum for redressal of his grievances in accordance with law.

**(Vikash Jain, J)**

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| AFR/NAFR          | NAFR       |
| CAV DATE          | N.A.       |
| Uploading Date    | 19.10.2016 |
| Transmission Date | N.A.       |