

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No.1943 of 2015

Oriental Bank Of Commerce Through Assistant General Manager Anil Sood Son Of Late Bipinchand Sood, Aged About 56 Years, Asset Recovery Cell, D. D.- II, Sector 1, 3rd Floor, Salt Lake, Kolkata 70064.

---- Petitioner

Versus

1. Chhattisgarh State Industrial Development Corporation Limited Through Executive Director, Udyog Bhawan, Ring Road No. 1, Infront Of Sonakhan Bhawan, Telibandha, Raipur, District Raipur (Chhattisgarh)
2. M/s. Standard Ferro Alloys (P) Limited, 24, Hemant Basu Sarani, Suite No. 204, Kolkata 700001.

---- Respondent

For Petitioners	:	Shri Vikash Pandey, Advocate
For Respondent No.1	:	Shri Kashif Shakeel, Advocate
For Respondent No.2	:	Shri M.L. Pastore, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

31/03/2016

Heard.

2. This petition has been filed by the petitioner aggrieved by the communication dated 11-02-2014 (Annexure P-1), by which, respondent No.1 has extended request to the petitioner to get the superstructure sold out and also to arrange funds for settlement of dues payable to the Corporation by the respondent No.2.
3. Learned counsel for petitioner submits that the petitioner-bank has already filed an application for recovery of loan before the Debt Recovery Tribunal against the respondent No.2 and the matter is pending.
4. This petition has been filed because now the claim is being raised by the respondent No.1. Therefore, the need for restraining respondents not to take any coercive action against the mortgaged property, till the decision of the Debts Recovery Tribunal.

5. The respondent-Corporation has only extended request to the petitioner. There is nothing on record to show that a letter would come in the way of the decision of recovery application filed before the Debts Recovery Tribunal. It is for the petitioner to pursue its own remedy for recovery of loan advanced to the respondent No.2. The relief sought in the petition cannot be granted.

6. Accordingly, the writ petition is dismissed.

Sd/-
Manindra Mohan Shrivastava
Judge