

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1119 of 2017

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Raushan Kumar, S/o Late Nirmal Kumar Bhagat, Proprietor of Raj Nirmal Hotel & Restaurant, R/o SBI Gali, M.G. Road, Katihar - 854105

.... Petitioner

Versus

1. The Chairman, United Bank of India, Head Office - 11, Hemanta Basu Sarani, Kolkata - 700001
2. The Zonal Manager, United Bank of India, Patna
3. The Regional Manager, United Bank of India, Katihar Regional Office Dr. Rajendra Prasad Patha, Katihar
4. The Branch Manager, United Bank of India, Katihar Branch, Katihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Respondent/s : Mr. Binod Bihari Sinha, Adv.

Mr. Ajay Misra, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 07-07-2017

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

In this case, the petitioner has taken loan from the Bank. As the petitioner could not deposit the loan amount, his account was declared as N.P.A. Whereupon, the Bank has issued notice under Section 13(2) of the SARFAESI Act.

Learned counsel for the petitioner submits that he has already deposited the substantial amount, but the learned counsel for the Bank submits that the Bank has filed O.A. No.820 of 2016 before the Debts Recovery Tribunal, which has been decided vide



order dated 13.06.2017.

In such view of the matter, let the petitioner either challenge the order of the Debts Recovery Tribunal before the appropriate forum or approach the Recovery Officer for resolution of the dispute.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	10.07.2017
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