

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8173 of 2018

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Santosh Kumar Bhagat @ Santosh Bhagat Son of Late Saryug Bhagar,
Resident of Village-Kaluahi, P.S.-Kaluahi, District-Madhubani.

... .. Petitioner/s

Versus

1. The Zonal Manager State Bank of India, Zonal Office at Purnia, Bihar.
2. The Authorized Officer, State Bank of India, Zonal Office, at Purnia, Bihar.
3. The Regional Manager, S.B.I. Regional Business Office, Region-IV, 1st Floor ABD Madhubani Branch Building Madhubani-847211. Dist.-Madhubani. Branch State Bank of India, Madhubani.
4. The Branch Manager, State Bank of India, Kaluahi, District-Madhubani.
5. The Field Officer, State Bank of India, Kaluahi, District-Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.
For the Respondent/s : Mr. Satya Prakashtrpathy, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-07-2018 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the Respondent-State Bank of

India.

Petitioner had availed loan facilities from the
respondent Bank at Kaluahi Branch, District Madhubani. Loan
of Rs. 8 lakhs. Having not been repaid the account became NPA
and the Bank issued notice dated 03.01.2018 under Section
13(2) of the Securitisation and Reconstruction of Financial
Assets and Enforcement of Security Interest Act, 2002
(hereinafter referred to as the SARFAESI Act) for recovery of
loan amount with interest and thereafter a possession notice was
issued.



Petitioner has an alternative remedy before the Debt Recovery Tribunal (hereinafter referred to as the DRT) in view of Section 17 of the SARFAESI Act. Petitioner is at liberty to prefer an application before the DRT and the period of limitation would be condoned, if the petitioner approaches the DRT within 15 days from the date of receipt of this order.

Writ application stands disposed of.

(Nilu Agrawal, J)

Arjun/Pragya

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