

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1962 of 2017

State Bank of India, Stressed Assets Management Branch (SAMB), 5th Floor,
Zonal Office Building, Judges, Court Roas, Anta Ghat, Patna through its chief
Manager-cum-Authorized Officer.

... .. Petitioner

Versus

1. The Union of India, through its Secretary, Ministry of Finance (Department of Financial Services), Government of India, New Delhi.
2. The Debts Recovery Tribunal, 2nd Floor, Karpuri Thakur Sadan, Ashiana-Digha Road, Patna through its Registrar.
3. M/s Gangotri Iron & Steel Co. Limited, having its Registered office at Patna, through its Director Sri Ankit Choudhary, S/o Sri Sanjiv Kumar Choudhary, 7th Floor, Kataruka Niwas, South Gandhi Maidan, Patna.
4. Sri Yashovardhan Sinha, HUF, 21 Kaveri Apartment, Bandar Bagichaa, Patna-1.

... .. Respondents

Appearance :

For the Petitioner/s	:	Dr. Binay Kumar Singh, Advocate Mr. Amit Singh, Advocate
For the Respondent/s	:	Mr. A.B. Mathur, Advocate Mr. Anshay Bahadur Mathur, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 25-09-2018 Learned counsel for the private respondent has pointed out that the impugned order, which has been passed by the Debts Recovery Tribunal, Patna under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (for short “SARFAESI Act”) is appealable under Section 18 of the SARFAESI Act.



It has been informed by both the parties that Debts Recovery Appellate Tribunal, Allahabad, is now functional.

In such view of the matter, the petitioner-Bank, if so advised, may impugn the order of the Debts Recovery Tribunal, Patna before the Appellate Authority i.e. Debts Recovery Appellate Tribunal, Allahabad. While considering the issue of limitation, the Appellate authority will take into consideration the pendency of the present case before this Court.

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

(Shivaji Pandey, J)

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