

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12493 of 2018

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M/s Gauri Shankar Agro Processing Private Limited Through Its Proprietor
Pankaj Kumar, son of Sri Vijay Kumar, resident of Maharajganj Road,
Rafiganj, P.S. Rafiganj, District Aurangabad

... .. Petitioner/s

Versus

1. Allahabad Bank Through its Zonal Manager, Budh Marg, Patna
2. Zonal Manager, Allahabad Bank, Budh Marg, Patna
3. Chief Manager-cum-Authorized officer, Allahabad Bank, Budh Marg, Patna
4. Branch Manager, Allahabad Bank, Uchauli Branch, Aurangabad

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate
For the Respondent/s : Mr. Anurag Saurav, Advocate

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT

Date : 26-07-2018

Heard learned counsel for the petitioner and learned
counsel appearing for the Allahabad Bank.

Petitioner is challenging SARFAESI notice dated
23.11.2017 issued under Section 13(2), the possession notice dated
17.02.2018 under Section 13(4) of the SARFAESI Act and the E-
auction notice dated 21.06.2018 published in the newspaper
wherein 31.07.2018 has been fixed for E-auction.

Learned counsel for the Bank, however, submits that the
petitioner has not availed alternative remedy as prescribed under
the SARFAESI Act.

Since there is a provision of appeal before the Debt
Recovery Tribunal under Section 17 of the SARFAESI Act, the



petitioner is well advised to move the Debt Recovery Tribunal for ventilating his grievances.

With the liberty aforesaid, the writ application is disposed off.

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27.07.2018
Transmission Date	NA

