

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18380 of 2017

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Manoranjan Prasad, S/o Shri Ramjee Prasad Advocate, R/o Gulbi Ghat, P.O. Mahendru, P.S. Sulganganj, Town & District Patna.

.... Petitioner/s

Versus

1. Punjab National Bank, a Nationalised Bank, through its Divisional Manager, Division Officer, Chanakya Place, R-Block, Patna 800001.
2. Divisional Manager, Punjab National Bank, Division Office, Chanakya Place, R-Block, Patna 800001.
3. Circle Head, Punjab National Bank, Division Office, Chanakya Place, R-Block Patna 800001.
4. Chief Manager cum Authorised Officer, Punjab National Bank, Muradpur Branch, Khaitan Market, Patna 800004.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Laxmi Narayan Das, Adv

For the Respondent/s : Mr. Kumar Priya Ranjan

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-06-2018

The present writ application has been filed for quashing the order dated 15.11.2017 passed by the Presiding Officer, Debts Recovery Tribunal, in S.A. No. 125 of 2017 whereby the application filed by the petitioner has been dismissed; for quashing the letter dated 29.03.2016 issued by the respondent no. 4 forfeiting the entire sum of Rs. 8,08,500/- deposited by the petitioner; and for issuance of a direction to the respondent bank to allow the petitioner to deposit the balance amount as per calculation and upon receiving the balance amount from the petitioner to execute the title document and put the petitioner in possession of the property in question.

2. Learned counsel for the respondent-bank appears and has been



heard.

3. This Court takes note that the petitioner has adequate statutory remedy under Section 18 of the SARFAESI Act before the Debts Recovery Appellate Tribunal against the order dated 15.11.2017 passed by the Presiding Officer, Debts Recovery Tribunal, in S.A. No. 125 of 2017, which however, has not been availed of.

4. Having regard to the stand of the respondent-bank as well as the nature of prayer in the writ petition this Court is not inclined to interfere in the matter. The writ petition stands disposed of with liberty to the petitioner to avail such remedy as may be available to him in accordance with law for redressal of his grievances.

5. It is made clear that in case such remedy is availed, the concerned authority would have regard to the present proceeding being pursued by the petitioner while considering any issue relating to condonation of delay, if applicable.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
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