

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8523 of 2017

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M/s Sai Edible Oil Industries Proprietorship Concern through its Proprietor
Umesh Tiwari, Son of Sri Dual Tiwari, Resident of Village- Kishunpura, Post
Office Rtawar, Police Station Block- Bhabhua, District- Kaimur.

... .. Petitioner/s

Versus

1. The Managing Director, Canara Bank, Patna
2. The Branch Manager, Bhabhua Branch, P.S. Bhabhua, District Kaimur at Bhabhua.
3. The Debt Recovery Tribunal, For the State of Bihar, through its Presiding Officer, Karpuri Thakur Sadan, Ashiana Digha Road at Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Bank : Mr.Rajan Ghoshrave, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-08-2019 No one appears on behalf of the petitioner. Mr. Rajan Ghoshrave, learned counsel for the Canara Bank as also learned counsel for the State are present.

It appears that the writ application has been preferred against the judgment and the Certificate issued by the Debts Recovery Tribunal in exercise of it's power under Section 19 of the Recovery of Debts due to Banks, Financial Institutions Act, 1993 (hereinafter referred to as the 'Act of 1993') learned counsel for the Bank is correct in saying that the impugned judgment is an appealable judgment in terms of Section 20 of the Act of 1993 and if the petitioner has not availed the statutory remedy of appeal there is no reason why a writ application be



entertained at this stage by this court.

In the given facts and circumstances of the case, the writ application is dismissed but with liberty to the petitioner to avail his remedy if any available in accordance with law.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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