

Kaushlendra Kumar Son of Siyasharan Prasad, Resident of 8M-11, Bahadurpur Housing Colony, Kankarbagh, P.S. Agamkuan, District- Patna.

Versus

1. The Chairman Cum Managing Director, Dena Bank, Mumbai.
2. The Authorized Officer, Dena Bank, Patna Branch, Mauryalok Complex, Patna.
3. The Chairman-Cum- Managing Director, HDFC Bank, Mumbai.
4. The Branch Manager, HDFC Bank Ltd., Raja Bazar Branch, Bailey Road, P.S. Shashtri Nagar, District- Patna.
5. The Punjab National Bank through its Chief Manager East Gandhi Maidan, Patna.
6. The State of Bihar through the District Magistrate, Patna.
7. The Senior Superintendent of Police Patna.
8. Md. Asad Rahman Son of Md. Abdur Rahman Shop No. 7, Uttam Palace, Khajpura, P.S. Shashtri Nagar, District- Patna also at Flat No. 402, Jaitpur Complex, Bank Road, Gandhi Maidan, P.S. Gandhi Maidan, District- Patna.
9. Mrs. Nahid Asad Wife of Md. Asad Rahman Shop No. 7, Uttam Palace, Khajpura, P.S. Shashtri Nagar, District- Patna also at Flat No. 402, Jaitpur Complex, Bank Road, Gandhi Maidan, P.S. Gandhi Maidan, District- Patna.

... Respondents

For the Petitioner/s : Mr.Prashant Sinha, Advocate
For the Dena Bank : Mr.Shivendra Kumar Ray, Advocate

2 09-07-2019 Mr. Prashant Sinha, learned counsel for the petitioner

having argued for some time submits that since he is participating in the SARFAESI appeal pending at the instance of borrower before the Debts Recovery Tribunal, he would seek his remedy before the Tribunal itself.

Learned counsel for the Bank is present.



The writ application is, thus, disposed off in the light of submission made hereinabove. Mr. Sinha has submitted that he was constraint to move this Court because the SARFAESI appeal is pending before the Debts Recovery Tribunal for some time. In case it is so the petitioner is granted liberty to request the Debts Recovery Tribunal to expedite the disposal of the SARFAESI appeal and if such request is made, it is expected that the Presiding Officer, Debts Recovery Tribunal shall consider the same keeping in mind the spirit of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

The writ application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

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