

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13839 of 2019

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Vinay Kumar Jha aged about 23 years, Male, S/o Babu Narayan Jha R/o-
Village- Balini, P.S.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

1. Indian Overseas Bank
2. The Chairman and Managing Director Indian Overseas Bank, Head Office, 763, Anna Salai, Chennai- 600002.
3. The Regional Manager Indian Overseas Bank, Naseema House, 2nd and 3rd Floor, West Gandhi Maidan, Patna 800001.
4. The Senior Manager Indian Overseas Bank, kathalbari Branch, Darbhanga.
5. The Branch Manager Indian Overseas Bank, Katahalbari Branch, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha, Advocate
For the Respondent/s : Mr.Sanjay Singh Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-07-2019 Learned counsel for the petitioner submits that he will

remove the defects in course of the day. He is permitted to do so

in course of the day.

This writ application has been preferred challenging
the judgment and the certificate issued by the Debts Recovery
Tribunal (in short ‘DRT’) in exercise of it’s power under Section
19 of the Recovery of Debts due to Banks and Financial
Institutions Act, 1993 (hereinafter referred to as the “Act of
1993”). It appears that the DRT having followed the procedure
prescribed for disposal of an application under Section 19 of the
Act of 1993 gave opportunity to the petitioner to participate



where the petitioner even admitted his liability to some extent and offered to pay the amount, however, upon final adjudication the Debts Recovery Tribunal has directed for recovery of a sum of Rs. 20,92,041/- together with *pendente lite* and future interest at the contractual rate from 01.12.2017 with costs till realization of the amount. Learned counsel for the petitioner submits that the DRT has not followed the statutory provision and the impugned judgment is in violation of the law.

In course of hearing, however nothing could be pointed out to show that which provision of the statute has not been followed by the DRT. Learned counsel for the Bank has rightly submitted that the judgment of the certificate of the DRT is appealable before Debts Recovery Appellate Tribunal in accordance with Section 20 of the Act of 1993.

In the aforesaid view of the matter, there being a statutory remedy of appeal provided under the Act of 1993, the present writ application is wholly misconceived. It is dismissed accordingly but liberty to the petitioner to avail his statutory remedy.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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