

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1033 of 2017

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Md. Waziuddin son of Late S. M. Fakhruddin, resident of Village and P.O. -
Harganwan, P.S. - Manpur, Block/Anchal - Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

1. The State Bank Of India through the Chief General Manager Local Head office-West Gandhi Maidan, Patna.
2. The Chief Manager, State Bank of India, Biharsharif Branch, Nai Sarai, Biharsharif, District - Nalanda

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Prasad Singh

For the Respondent/s : Mr.Kaushlendra Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

6 18-07-2019 During the pendency of this writ application, the respondent bank seems to have proceeded to take action under the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (hereinafter referred to as the 'Act of 2002'). Annexure-9 enclosed with the rejoinder of the petitioner is the possession notice issued by the bank under Section 13(4) of the Act of 2002 read with Rule 9 of the Rules framed thereunder. The petitioner did not challenge that possession notice before the competent court/forum available to him under the Act of 2002. It is stated that now he has paid the entire amount to the bank and 'No Dues Certificate' has already been issued to him.

Learned counsel for the petitioner, however, wants to agitate an issue as to the terms and conditions of the agreement



under which the loan was granted to the petitioner.

This Court would not be willing to go into any academic discussion in the matter at this stage when the petitioner has already repaid the entire amount and had not chosen to challenge the possession notice under Section 13(4) of the Act of 2002 before an appropriate forum.

Learned counsel for the bank is present.

This writ application is disposed off as having become infructuous.

(Rajeev Ranjan Prasad, J)

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