

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2585 of 2017

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1. Urmila Sinha, Wife of Uma Shankar Prasad Sinha.
 2. Uma Shankar Prasad Sinha, Son of Late Madhusudan Sinha.
Both are Resident of Madhu Sadan, near Papin Udhyog, North Mandiri, P.S.-
Budha Colony, District and Town-Patna.
 3. Atul Sinha, Son of Uma Shankar Prasad Sinha.
Resident of Ground Floor, 1, Plot No.222, Gyan Khund, 1, Indrapuram,
Ghaziabad, Near Sahaj International School, Ghaziabad UP.

... .. Petitioner/s

Versus

1. The Union Of India, through the Secretary, Ministry of Finance, New Delhi.
2. The Punjab National Bank, through Chairman cum Managing Director, 5,
Sansad Marg, New Delhi-110001.
3. Chief General Manager, Regional Office, Punjab National Bank, R Block,
Chankiya Tower, Patna.
4. Chief Manager, Punjab National Bank, Budha Colony Branch, Patna.
5. Branch Manager, Punjab National Bank, Budha Colony Branch, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Kumar Priya Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 07-02-2019 Learned counsel for the Bank submits that he has instruction to say that till now the Bank has not proceeded with any of the measures stated under sub-section 4 of Section 13 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act, 2002) and in case any such action will be taken by the Bank, the petitioners will have an opportunity to assail the same in a Securitisation Application.

So far as the present writ application is concerned, it cannot proceed because the petitioners have moved against the



demand notice. The view expressed by learned counsel for the Bank is also covered by the Judgment of the Hon'ble Supreme Court in the case of **United Bank of India vs. Stayawati Tondon** reported in **(2010) 8 SCC 110**.

In the aforesaid view of the matter, this writ application has no merit, it is dismissed, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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