

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.538 of 2018

In
Civil Writ Jurisdiction Case No.1405 of 2018

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Lal Babu Prasad, Son of Achhelal Prasad, resident of Village- Chandan Nagar,
P.S. - Gulabbagh, District- Purnea.

... .. Appellant/s

Versus

1. The State of Bihar through the District Magistrate, District - Purnea.
2. The Bank of Baroda through the Zonal Manager, Bank of Baroda, 5th Floor,
Anand Vihar, West Boring Canal Road, Boring Road, Patna - 800001.
3. The Zonal Manager, Bank of Baroda, 5th Floor, Anand Bihar, West Boring
Canal, Boring Road, Patna - 800001.
4. The Branch Manager, Bank of Baroda, Branch - Gulabbagh, P.S. - Sadar,
District - Purnea.
5. Binod Kumar Sah Son of Paras Sah resident of Village - Chandan Nagar,
Gulab Bag, P.S. - Sadar, District - Purnea.

... .. Respondent/s

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with
Letters Patent Appeal No. 539 of 2018
In
Civil Writ Jurisdiction Case No.661 of 2018

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Lal Babu Prasad @ Lal Babu Jaiswal Son of Achhelal Prasad, resident of
Chandan Nagar, P.S.- Gulabbagh, Purnea.

... .. Appellant/s

Versus

1. The State of Bihar through its District Magistrate, District- Purnea.
2. The Bank of Baroda, through the Zonal Manager, Bank of Baroda, 5th Floor,
Anand Vihar, West Boring Canal Road, Boring Road, Patna- 800001.
3. The Zonal Manager, Bank of Baroda, 5th Floor, Anand Vihar, West Boring
Canal Road, Boring Road, Patna- 800001.
4. The Branch Manager, Bank of Baroda, Branch- Gulab Bagh, P.S.- Sadar,
District- Purnea.
5. Binod Kumar Sah, Son of Paras Sah, Resident of Village- Chandan Nagar,
Gulab Bag, P.S.- Sadar, District- Purnea.

... .. Respondent/s



Appearance :

(In Letters Patent Appeal No. 538 of 2018)

For the Appellant/s : Mr. Sumeet Kumar Singh, Advocate
For the State : Mr. Shailendra Kumar, AC to PAAG-2
For the Bank : Mr. Sanjeev Shankar, Advocate

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 11-01-2019

Heard learned counsel for the appellant, who seeks an adjournment. We have also heard Sri Sanjeev Shankar, learned counsel for the respondent-Bank and Sri Shailendra Kumar, learned Assistant Counsel to Principal Additional Advocate General-2, for the State of Bihar.

We are not inclined to grant any adjournment keeping in view the fact that the appellant approached this Court by challenging the notices under Sections 13(2) and 13(4) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 together with a prayer for some adjustments. Two writ petitions were filed being CWJC No.1405 of 2018 and CWJC No.661 of 2018. Both the writ petitions were clubbed together and have been dismissed by a common judgment impugned herein dated 19th March, 2018.



Having examined the same, we do not find any reason to entertain the appeals inasmuch as the writ petitions even otherwise were not entertainable keeping in view the law laid down by the Hon'ble Apex Court in the case of **Union of India Versus Satyawati Tandon & others**, reported in **(2010) 8 SCC 110** and the latest judgment in the case of **Authorized Officer, State Bank of Travancore & Another Vs. Mathew K.C.**, reported in **(2018) 3 SCC 85**.

Both these appeals are, accordingly, rejected.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Sunil/-

AFR/NAFR	
CAV DATE	
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