

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1194 of 2018

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Rajeshwar Singh Son of Diwan Prasad Singh @ Divan Singh R/o Village
P.O.- Sisrit, P.S. Nokha, District- Rohtas.

... .. Petitioner

Versus

1. Madhya Bihar Gramin Bank, Nokha Branch, District – Rohtas.
2. The Union of India through the Presiding officer, Debt Recovery Tribunal, Wings, "A" and "B", 2nd Floor, Karpuri Thakur Sadan, GPOA, near Rajiv Nagar, P.S. Ashiyana Digha Road, Patna 25.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Syed Arshad Alam, Advocate Ms. Anjum Perveen, Advocate
For the U.O.I.	:	Ms. Nivedita Nirvikar, C.G.C.
For the Resp No. 1	:	Ms. Archana Palkar Khopde, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 27-08-2019 After some argument, having realized the difficulties in persuading this court to entertain this writ application on the face of there being an adequate and equally efficacious remedy of appeal provided under the Recovery of Debts due to Banks and Financial Institutions Act, 1993 (hereinafter referred to as the 'Act of 1993') learned counsel Mr. Syed Arshad Alam submits that he may be given liberty to avail his remedy available in law before appropriate forum/court and at the same time he should be given liberty to approach the Bank to pay off the dues and get settled his account.

Ms. Archana Palkar Khopde, learned counsel for the Bank submits that if the petitioner is willing to settle the dues



of the Bank it is always open for him to approach the Bank and settle the account but in fact during all these period the petitioner has not approached the Bank.

Be that as it may, in the given facts and circumstances of the case, the writ application is being disposed of with liberty to the petitioner to seek his remedy against the impugned judgment and certificate of recovery before the appropriate forum and in accordance with law. It goes without saying that if the petitioner is still willing to settle the account by paying of the dues of the Bank, it will be open for the petitioner to approach the Bank for settlement of the account in terms of their recovery policy.

The Writ Application stands disposed of.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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