

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23315 of 2018

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Sri Shyam Kishore Rai Son of Late Jagdev Rai Proprietor M/S S.S. Construction Limited, through Proprietor Shyam Kishore Rai, Resident of Village - Balbhadrapur, Laheria Sarai, District - Darbhanga.

... .. Petitioner/s

Versus

1. The Chairman Cum Managing Director Syndicate Bank, Corporate officer, 10th Cross Gandhi Nagar, Bangalore, Karnataka.
2. The Deputy General Manager, syndicate bank Regional Officer, Maurya Tower Maurya Lok complex, Dakbungalow, Road, Patna.
3. The Branch Manager, Syndicate bank, Darbhanga Branch, Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dudhnath Singh, Advocate
For the Respondent/s : Mr. Siddharth Harsh

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-01-2019 The defect is ignored.

Heard learned counsel for the petitioner and learned counsel representing the Bank.

It is pointed out that the writ application is not maintainable inasmuch as the order dated 23.02.2018 passed in R.P. No. 147 of 2012 is an appellable order in terms of Section 30 of the Recovery of Debts and Bankruptcy Act, 1993 and further that the public auction was to be held on 27.04.2018 whereas this writ application has been filed on or about 04.12.2018. Learned counsel for the bank, therefore, submits that the same is misconceived application.

This Court finds force in the submissions of the learned counsel for the bank.



The application is dismissed as not maintainable in view of the submissions noted hereinabove. Liberty is granted to the petitioner to avail statutory remedy.

(Rajeev Ranjan Prasad, J)

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