

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17307 of 2018

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Tejas Kumar Singh Son of Late Anirudh Singh, Resident of Village - Terasi,
Post Office - Sukutia, Police Station - Gopalpur, District - Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Finance Department,
Patna, Bihar.
2. UCO Bank through its Branch Manager, Gopalpur Branch, Bhagalpur.
3. The Debts Recovery Tribunal at Patna.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Pandey, Advocate
For the State	:	Mr.Manoj Kumar, AC to GP-24
For the UCO Bank	:	Mr.Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-08-2019 After some argument, learned counsel for the petitioner having realized that the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (hereinafter referred to as the 'Act of 1993') itself provides for a remedy for recall of an ex-parte order as also that the order is under challenge before this Court is also an appellable order in terms of Section 20 of the Act of 1993 prays to withdraw this writ application with a liberty to the petitioner to avail the statutory remedy in accordance with law.

Learned counsel for the Bank has no objection to the same, however, learned counsel for the Bank submits that if the petitioner has not availed the statutory remedy within the



prescribed period of limitation, the Bank will be at liberty to raise such issue.

In the given facts and circumstances, this writ application is being disposed off with liberty to the petitioner to seek his remedy in terms of the Act of 1993 before appropriate authority/forum as the case may be. In case such an application is preferred within a period of 30 days from today and if any question of limitation arises for consideration, the same will be considered keeping in view the period spent by the petitioner before this Court.

All contentions are left open to the parties.

(Rajeev Ranjan Prasad, J)

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