

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6027 of 2019

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Josita Markus Jekab @ Jocinta Marcub Jacob W/o Mr. Kamal Kishore R/o
Mohalla-Red Cross, South Chakkar Maidan, P.S. Kazi Mohammadpur,
District-Muzaffarpur

... .. Petitioner/s

Versus

1. The Managing Director, Allahabad Bank Head Office-2, Netaji Subhash Road, Kolkata-700001
2. The Regional Manager Allahabad Bank, Regional Office-1st Floor, Om Shanti Complex, in front of Zila School, Muzaffarpur-842002
3. The Branch Manager Allahabad Bank, Jawaharlal Road Branch, P.S.-Town, District-Muzaffarpur
4. The Authorised Officer Allahabad Bank, Jawaharlal Road Branch, P.S.-Town, District-Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pawan Kumar Singh
	:	Mr. Pradhan Murli Manohar Prasad
For the Respondent/s	:	Mr.Nishi Nath Ojha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 20-02-2020 After some arguments, the learned counsel for the petitioner seeks to withdraw the present petition with liberty to move the Debt Recovery Tribunal under ***Section 17 of the SARFAESI ACT, 2002***, however submits that the learned Tribunal be directed to consider the fact that the petitioner is only a guarantor whereas the fact is that the Principal Loanee has immovable properties which can be auctioned in order to realize the debt.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to dispose off the present



petition with liberty to the petitioner to approach the Debt Recovery Tribunal by filing appropriate petition under ***Section 17 of the SARFAESI ACT, 2002*** and in case, such a petition is filed within a period of four weeks from today, the same shall be adjudicated on merits, considering the aforesaid submission of the petitioner as also the grounds taken in the said petition.

(Mohit Kumar Shah, J)

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