

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 10336 of 2021

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Urmila Devi, aged about-41 years, gender-Female, w/o-Laksham Prasad
Gupta, r/o-Civil Line, ward no. 17, P.S.-Buxar, District-Buxar

... .. Petitioner/s

Versus

1. The Bank of Baroda
2. The Managing Director, Bank of Baroda, West Boring Canal Road,
Anand Vihar, 5th Floor, Patna-800001
3. The Circle Manager (Debt Department), Circle Office, Bank of Baroda,
Gaya-802301
4. The Regional Manager, Regional Office Estate Assets Recovery Branch
Bank of Baroda, 1st Floor, Saryug Complex, Nehru Nagar, Patliputra
Patna-800013
5. The Branch Manager, Bank of Baroda, Near Police Chowki No. 1, Main
Road, Buxar-802101
6. The Authorized Officer, Bank of Baroda, ROSARB Patna, 1st Floor,
Saryug Complex, Nehru Nagar, Patliputra, Patna-800013.

.. ... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.
For Bank : Mr. Vivek Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 27-07-2021 The present petition has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.



The present writ petition had though been filed for setting aside the entire action of the respondent authorities, taken in furtherance of the provisions contained in the SARFAESI Act, 2002 as also for setting aside the E-Auction Sale of the immovable assets of the petitioner dated 16.01.2021 under Section 13(2) of the SARFAESI Act 2002, however, during the interregnum period, as informed by Sri Vivek Prasad, the learned counsel appearing for the Respondent-Bank of Baroda, the property in question has already been auction sold and third party rights have been created. In such view of the matter, the learned counsel for the petitioner seeks liberty to approach the Debt Recovery Tribunal, Patna for redressal of her grievances including annulment of the auction sale.

Accordingly, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to approach the Debt Recovery Tribunal, Patna by filing appropriate petition within a period of four weeks from today and in case,



such a petition is filed, the Debt Recovery Tribunal, Patna shall adjudicate the same on merits, without being impeded by the issue of limitation, considering the fact that the present writ petition had been pending before this Court for quite some time.

(Mohit Kumar Shah, J)

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