

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5381 of 2023

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M/s Shivam Enterprises through its Proprietor Binod Kumar Baidha @ Binod Baidh, Gender-Male, aged about 53 Years, Son of Late Kamleshwari Prasad Baidh, Resident of Village-Katoriya, Police Station- Katoriya, District-Banka.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary Finance. Department, North Block, Cabinet Secretariat, New Delhi.
2. The Chairman-Cum-Managing Director, UCO Bank, Kolkata.
3. The General Manager, Uco Vabk of India, Kolkata.
4. The Zonal Manager, UCO Bank, Zonal Office Bhagalpur.
5. The Branch Manager, UCO Bank, Suiya Branch, District-Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dipika Rani, Adv., Ms. Devika Rani
For the UCO Bank	:	Mr. Javed Aslam, Adv. Mr. Ranjeet Kumar Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 26-04-2023 1. The petitioner by way of this writ petition prays as
under:-

“1. (A) A writ in the nature of mandamus or any other appropriate orders, direction writ/order/ commanding Respondents for the followings:-

(1) To Brought all the papers/ documents/notice related to the auction of the petitioner mortgage land bearing Khata No. 699/244, Plot No. 4/3/2573K, Thana No. 130, Area 0.94 Acres lying in Mauza- Katoriya, falling within Anchal- Katoriya, District Banka.

(11) To hold the whole proceeding of



auction of the petitioner land is illegal and without jurisdiction.

(111) To get re-fixation of the value of the land of the petitioner accordance with law by the competent agency/authority.

(iv) To return the balance amount of the petitioner with up-to-date penal interest.

B. To any other relief/reliefs for which the petitioner found entitled to in the facts and circumstances of the present case.”

2. Keeping in view the Judgment passed by the Supreme Court in **South Indian Bank Ltd. and Others Versus Naveen Mathew Philip and Another 2023 SCC Online SC 435** and also the Judgment passed in **Varimadugu Obi Reddy vs. B. Sreenivasulu & Ors. 2023 (2) SCC 168**, I am not inclined to entertain this writ petition.

3. However, the petitioner is at liberty to take up all objections before the concerned D.R.T. in terms of the provision of SARFAESI Act.

4. Accordingly, the writ petition stands dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 41

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