

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7623 of 2023

Mananjay Kumar Singh S/o Shri Mahendar Pratap Singh, Resident of Village Bhadaula, P.S. Kudra, District Kaimur at Bhabua. At present R/o Gajrarh, Ward No. 14, Thana No. 134 Sasaram Garakshni District Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Kaimur at Bhabua.
2. Regional Manager, Bank of Baroda Anand Vihar 4th Floor, West Boring Canal Road Patna 800001, Bihar.
3. Chief Manager cum Authorize Office Bank of Baroda Sasaram Branch, Hansu Market, Old G.T. Road, Sasaram, District Rohtas.
4. Renu Devi W/o Late Badri Singh, Resident of Village Bhadaula, P.S. Kudra, District Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the Respondent/s : Mr. Anil Kr. Singh (GP-26)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

2 18-05-2023 In the instant petition, petitioner has prayed for the following relief(s):-

“1. (i) For issuance of writ in the nature of certiorari or any other appropriate writ, direction for setting aside the possession notice dated on 03.05.2023 Under Sarfesi Act 2002 whereby and where under property changed to the Bank of Baroda has taken physical possession of the property as mentioned in the notice itself without proper information and with the help of unauthorized order in utter violation of Rule 14 of the 2002 Rule.

(ii) For issuance of writ in the nature of Mandamus or any other appropriate writ/ direction to the respondent particularly respondent no. 3 to hand over the physical possession to the petitioner property situated at Mauza Bajarkiona, thana no. 654 Khata no. 29, Plot no. 111, Anchal Kudra, P.S. Kudra, District Kaimur which had been purchased by registered sale



deed no. 4180 dated 09.05.2022 in the name of Sri Mananjay Kumar Singh Son of Sri Mahendra Prasad Singh who happen to be guarantor to M/S Maa Mandeshwari Traders of Pro Mrs. Renu Devi till disposal of SARFESI Appeal No. 407/2022 pending in the Court of D.R.T Patna.

(iii). For issuance of any other appropriate writ and direction as may deem fit and proper in his case for which the petitioner is otherwise entitled.”

2. The petitioner has already before the D.R.T. In the guise of later development, the petitioner has presented this petition. if any letter issues arising out of the same set of facts, the petitioner has a remedy before D.R.T. only.

3. Accordingly, the present petition stands dismissed, reserving liberty to the petitioner to invoke remedy before the D.R.T.

(P. B. Bajanthri, J)

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