

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 3689 of 2024

=====

Umesh Kumar Gupta son of Haridwar Sah, Resident of Village - Baliyan, P.S.
Natwar, District - Rohtas.

... .. Petitioner/s

Versus

1. The Branch Manager, Allahabad Bank, Dinara Branch, Rohtas.
2. The General Manager, Allahabad Bank, Sasaram.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Vikalp Kumar, Advocate
For the Respondent/s : M/s Ajit Kr Sinha, Minu Kri, Dilkash Khan,
Advocates

=====

CORAM: HONOURABLE MR JUSTICE A ABHISHEK REDDY

ORAL ORDER

2 22-04-2024 Heard the parties.

2 Having regard to the judgment of the Hon'ble
Supreme Court passed in the case of Kotak Mahindra Bank
Limited -Versus- Girnar Corrugators Private Limited & Others,
(2023) 3 Supreme Court Cases 210 wherein the Hon'ble
Supreme Court has held as under:

*“34. Under Section 14 of the
SARFAESI Act, the District Magistrate or the
Chief Metropolitan Magistrate as the case may
be is required to assist the secured creditor in
getting the possession of the secured assets.
Under Section 14 of the SARFAESI Act, neither
the District Magistrate nor the Metropolitan
Magistrate would have any jurisdiction to
adjudicate and/or decide the dispute even
between the secured creditor and the debtor. If
any person is aggrieved by the steps under
Section 13 (4)/order passed under Section 14,
then the aggrieved person has to approach the*



Debts Recovery Tribunal by way of appeal/application under Section 17 of the SARFAESI Act.”

3 This Court does not find any merit in the present writ petition. The same is dismissed.

4 However, liberty is granted to the petitioner to approach the DRT and ventilate his grievance.

(A Abhishek Reddy , J)

M.E.H./-

U			
---	--	--	--

