

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15342 of 2023

Canara Bank a body corporate constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, having its Head Office at 112, J.C. Road, Bengaluru 560002 and amongst others a Branch at Nalanda from where the account was transferred for its recovery to Canara Bank, Asset Recovery Management Branch, Ground Floor, Luv Kush Tower, Exhibition Road, P.S. Gandhi Maidan, District -Patna, 800001 Bihar, represented by Sri Mani Shankar Narayan, the Chief Manager duly constituted Attorney.

... Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Home, Government of Bihar, Patna.
2. The District Magistrate, Nalanda. ... Respondents

Appearance :

For the Petitioner : Mr.Manish Kishore, Adv.
For the Respondents : Mr.Md. Nadim Seraj (Gp5)

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 09-04-2024 Heard the parties.

2. The present writ petition has been filed for the following relief(s) :

(a) For issuance of appropriate writ, order or direction in the nature of Mandamus commanding the Respondent No.2/ District Magistrate to decide the application dated 01.06.2022 filed by the Petitioner Bank under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 as the statutory time period has already elapsed and consequently assist the Petitioner in getting the possession of the secured assets.

(b) For grant of any other relief or reliefs to which the Petitioner is found entitled to in the facts and



circumstances of the case.

(c) To Pass such other order or orders as your Lordship may deem just and proper.

3. Learned counsel appearing on behalf of the petitioner has stated that the petitioner-Bank has submitted an application before the concerned District Magistrate (respondent no. 2) under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Learned counsel has stated that even though the said application has been made on 01.06.2022 till date no orders are passed by the District Magistrate concerned, therefore, learned counsel seeks a direction from this Court to direct the respondent no. 2 to dispose of the application made by the petitioner by fixing a time frame.

4. Learned counsel appearing for the respondent-State has stated that he has no objection if direction is given to the authority concerned for considering the application made by the petitioner strictly in accordance with law and necessary orders passed if the same has already not been disposed of till date.

5. Having regard to the above made submissions, the present Writ Petition is disposed of directing the respondent no. 2 to consider the application, dated 01.06.2022, made by the



petitioner under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. Any order passed by the respondent no. 2 shall be communicated to the petitioner herein.

6. With the above direction, the Writ Petition stands **disposed of.**

(A. Abhishek Reddy , J)

Shamshad/-

U			
---	--	--	--

