

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2311 of 2024

1. M/s Sai Poly Product through its sole proprietor and owner Alka Ghosh having its place of business at Industrial Area 9C, BIADA, Barari, P.S.-Barari, Dist.-Bhagalpur.
2. Alka Ghosh, W/o- Niranjan Kumar Sinha, R/o- Mayaganj, P.S.-Barari, Dist.-Bhagalpur-812003. ... Petitioners

Versus

1. UCO Bank through its Regional Manager having its Regional/ Divisional office at Bhagalpur-812001.
 2. The Branch Manager, UCO Bank, Tilakamanjhi Branch, Tilakamanjhi, Bhagalpur.
 3. M/s G.G. Industries India, through its proprietor Kulvinder Singh, 5/01, Kirti Nagar Industrial Area, New Delhi-110015.
 4. Parmender Singh, Proprietor M/s G.G. Industries India, 5/01, Kirti Nagar Industrial Area, New Delhi-110015. ... Respondents
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Appearance :

For the Petitioners	:	Mr.Neeraj Kumar, Adv.
For the UCO Bank	:	Mr.Ranjeet Kumar Pandey, Adv.
For Respondents 3 & 4	:	M/s Amit Kr. Singh & Jitesh Singh, Adv.

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

15 04-07-2025

Without going into the merits or demerits of the case, the present Writ Petition is disposed of at the stage of admission with the consent of both the counsels.

2. Having regard to the fact that the petitioner has an alternative and effective remedy of approaching the Debts Recovery Tribunal, Patna, for setting aside the order dated 04.11.2015 passed in O.A. No. 120 of 2015, the Court is not inclined to entertain the present Writ Petition.

3. As it is stated that the order has been passed ex parte, liberty is granted to the petitioners to approach the Debts Recovery Tribunal, Patna, either for seeking set aside the ex parte order dated



04.11.2015 in O.A. No. 120 of 2015 or file an appeal before the Debts Recovery Appellate Tribunal, Allahabad, within a period of four weeks from the date of receipt of a copy of this order. On such application being filed the same shall be dealt with in accordance with law duly putting on notice all the parties. In case any application is filed by the petitioners seeking to set aside the ex parte order dated 04.11.2015, the Debts Recovery Tribunal, Patna, shall endeavour to dispose of the application made by the petitioners as expeditiously as possible, preferably within a period of 12 weeks from the date of filing of the application by the petitioner.

4. Learned counsel has stated that the petitioner has only come to know about the passing of the ex parte order after the Respondent-Bank has taken possession of the subject property and immediately thereafter they have filed the present C.W.J.C. No. 2311 of 2024. The Debts Recovery Tribunal shall take into consideration the above fact and limitation period, if any, shall be dealt with accordingly.

5. With the above direction the Writ Petition stands disposed of.

(A. Abhishek Reddy , J)

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