IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14652 of 2026

CNR No. BRHC010970412026

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1. M/s Mangalam Motors a proprietorship concern having its registered office Near Electricity Board, Nohta, Opp. Raymond Showroom, Mirzapur, Fatuha, District Patna 803201, and branch office near Sonali Pump, Mahatma Gandhi Setu Road, Zeromile Pahari, Transport Nagar, Patna 800007, through its sole proprietor Sri Narendra Kumar, S/o Sri Mahendra Prasad.
2. Smt. Sunita Devi, W/o Sri Mahendra Prasad, resident of Mirzapur, Nohta, Near Electricity Board, Opp. Raymond Showroom, P.S. Fatuha, District - Patna-803201 (Guarantor and Mortgagor).

... ... Petitioner/s

Versus

1. The Assistant General Manager-cum-Authorised Officer, Stressed Assets Recovery Branch (SARB), State Bank of India, 2nd Floor, Patna Main Branch Building, Gandhi Maidan (West), Patna-800001.
2. The Chief Manager, State Bank of India, Ashok Rajpath Branch (Code 31002), Hotel Natraj Building, Ashok Rajpath, Patna - 800004.
3. The Relationship Manager (RMSME)-cum-Convenor, Stressed MSME Committee, State Bank of India, Ashok Rajpath Branch (Code 31002), Patna 800004

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kr. Singh, Adv. Ms. Abhilasha Kumari, Adv. Mr. Anmol Kumar, Adv. Mr. Raushan Kumar, Adv.
For the SBI	:	Mr. Anant Kr. Sharan, Adv. Mr. Prabhat Kr. Sharan, Adv. Mr. Hemant Kr. Sharan, Adv.

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 30-10-2026 Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the respondent- Bank.

2. With the consent of both the parties, this writ application is being disposed of at the admission stage itself.

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3. This writ application has been filed for the following reliefs:-

> *"I. for issuance of an appropriate writ(s), order(s) or direction(s) in the nature of Certiorari for quashing the letter dated 14.08.2026 bearing Ref. No. SARB/PATNA/SPS/2026-27/351 issued by the Respondent Authorised Officer under Section 13(3A) of the SARFAESI Act, 2002, whereby the Petitioner's representation for restructuring proposal have been rejected arbitrarily in complete derogation of the statutory MSME Revival Framework, is illegal, arbitrary, without jurisdiction and violative of the principles of natural justice;*
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> *II. That the present Writ Application has been filed, inter alia, for issuance of an appropriate writ(s), order(s) or direction(s) in the nature of Mandamus for a direction to the respondent authority to decide the representation filed by the petitioner afresh for restructuring in accordance with law.*
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> *III. That the present Writ Application has been filed, inter alia, for issuance of an appropriate writ(s), order(s) or*

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direction(s) directing the Respondents, their officers and agents, from taking any coercive measure under Section 13(4) of the SARFAESI Act, or otherwise proceeding against the secured assets during the pendency of and until the aforesaid reconsideration;

IV. That the present Writ Application has been filed, inter alia, for issuance of an appropriate writ(s), order(s) or direction(s) to the respondent authority, for the revaluation of the mortgaged property by an approved valuer and for the re-omputation of the account after correctly accounting for the appropriated Fixed Deposit and for interest strictly in terms of the sanction;

V. For any other relief(s) to which the Petitioners may be found entitled in the facts and circumstances of the case."

4. At the outset, learned counsel appearing on behalf of the petitioners fairly submits that the petitioners may be permitted to file a fresh representation annexing all the documents in support of their claim before The Assistant General Manager-cum-Authorised Officer, Stressed Assets Recovery Branch (SARB) i.e. respondent No. 1 and appropriate

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direction may be issued to dispose of the same within a fixed time frame, after giving an opportunity of hearing to the petitioners.

5. To the aforesaid prayer being made by learned counsel for the petitioners, learned counsel appearing for respondent does not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application is disposed of granting liberty to the petitioners to file a fresh representation before The Assistant General Manager-cum-Authorised Officer, Stressed Assets Recovery Branch (SARB) i.e. respondent No. 1 within fifteen (15) days from today and if such a representation is filed within the stipulated time then The Assistant General Manager-cum-Authorised Officer, Stressed Assets Recovery Branch (SARB) i.e. respondent No. 1 is directed to dispose of the same within a period of two months from the date of receipt of the representation, after giving an opportunity of hearing to the petitioners.

7. Needless to emphasize that the final order which shall be passed by The Assistant General Manager-cum-Authorised Officer, Stressed Assets Recovery Branch (SARB) i.e. respondent No. 1 should be a reasoned and speaking order.

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8. This Court has not expressed any opinion on the merit of the case including maintainability of the writ application.

9. With the aforesaid observation/direction and liberty granted, this writ application is disposed of.

10. All pending interlocutory application(s), if any, shall stand disposed of.

(Girijish Kumar, J)

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