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IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR

W.P.NO. 2846 /2003

PETITIONER

: SMT. MOGI BEN PATEL, W/O.
KESHAV LAL PATEL, AGED
ABOUT 60 YRS. VILL. URLA,
P.O.ABHANPUR, TAH.
ABHANPUR, DIST. RAIPUR
(C.G.).

VERSUS

RESPONDENTS

:1. UNION OF INDIA, THROUGH
THE SECRETARY, MINISTRY
OF LAW, JUSTICE AND
COMPANY AFFAIRS AND
ALSO, THROUGH THE
SECRETARY, MINISTRY OF
FINANCE, NEW DELHI.

2.STATE BANK OF INDIA, A
BANKING COMPANY
RELEVANT PROVISIONS OF
STATE BANK OF INDIA ACT,
1955, HAVING ITS INTERALIA
AMONGST OFFICES A
COMMERCIAL BRANCH AT
KUTCHERYBRANCH, RAIPUR
(C.G.)

3. M/S. R.K.MINI RICE MILLS
THROUGH IT'S PROPRIETOR
MR.RAMESH PATEL, S/O.
KESHAV LAL PATEL, AGED
ABOUT 42 YRS. VILL. URLA,
P.O.ABHANPUR, TAH.
ABHANPUR, DIST. RAIPUR
(C.G.).

P. R. No. 2846/2003
Presented by Shri. A. Patel
dated 08.06.03



(2)

(4)

WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE
CONSTITUTION OF INDIA FOR THE ISSUANCE OF WRITS
IN THE NATURE OF MANDAMUS, CERTIORARI AND/OR
ORDER (S), AND/OR DIRECTION (S) IN THE NATURE OF
WRITS.

आदेश पत्रक

W.P. NO. 2546/2003

मामला क्रमांक

सन् 200

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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| | <p><u>DB: HON'BLE SHRI A.S.V. MOORTHY, C.J.</u> <u>& HON'BLE SHRI VIJAY KUMAR SHRIVASTAVA, J.</u></p> <p><u>30/11/2004</u></p> <p>None for the petitioner.</p> <p>Shri Vinay Harit, Sr. Standing Counsel for the Union of India/respondent No.1.</p> <p>Shri R.S. Jaiswal, Counsel for respondent No.2.</p> <p>Shri R.S. Patel, Counsel for respondent No.3.</p> <p>Following the decision of the Supreme Court in the matter of Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2451), the writ petition stands dismissed.</p> <p>However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefore, to be counted with effect from today.</p> <p>Sd/- Chief Justice</p> | <p>Sd/- V.K. Shrivastava Judge</p> |

[पीछे देखिये]

Rajy 3/11/2