

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.492 of 2015

In

Civil Writ Jurisdiction Case No. 15543 of 2008

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M/s Jagdamba Enterprises, A Small Scale Industries Unit, Through its Proprietor, Fakira Prasad, Son of Late Mogal Mahto, Resident of Village-Manriya, P.S.- Sahiyara, District- Sitamarhi.

.... Appellant/s

Versus

1. The Union of India through the Secretary, Department of Finance, New Delhi.
2. The Canara Bank, through the Chairman, A Bank taken over under Banking Companies (Acquisition and Transfer of undertaking) Act, 1970 having its office at J.C. road, Bangalore.
3. The Deputy Manager, Canara Bank, Sitamarhi.
4. The Divisional Manager, Canara Bank, Sitamarhi.
5. The Branch Manager, Canara Bank, Sitamarhi.
6. The Oriental Insurance through the Chairman.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Awadhesh Kumar Mishra, Advocate
Mr. Shivpujan Sahay, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 23-06-2015 This appeal is preferred against the order dated 22.12.2014 passed by the learned single Judge in CWJC No.15543 of 2008.

The appellant filed CWJC No.15543 of 2008 with a prayer to stay the proceedings initiated against it for realization of Rs.15,89,000/- till disposal of Case No.01/2005 pending before the District Forum, Sitamarhi. The learned single Judge dismissed

the writ petition, through order dated 22.12.2014. Hence, this appeal.

Heard Shri Awadhesh Kumar Mishra, learned counsel for the appellant.

On the face of it, the appeal is not maintainable. It is brought to our notice that the proceedings before the District Forum have since been disposed of. However, it is submitted that the proceedings are now pending before the National Consumer Disputes Redressal Commission, New Delhi in Revision Petition No.1297 of 2011. The appellant has to work out the remedies, there.

The appeal is dismissed. We leave it open to the appellant to approach the appropriate forum.

The interlocutory application, if any, shall also stand disposed of. There shall be no order as to costs.

(L. Narasimha Reddy,CJ)

PNM

(Sudhir Singh, J)

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