

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1175 of 2014

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M/s Sunny Masala & Kirana Store through its proprietor Krishna Murari Gupta S/o Late Mahabir Sao Resident of Raghunath Tola, P.O.- Anishabad, P.S.- Gardanibagh, District- Patna

.... Petitioner

Versus

1. New India Assurance Company Ltd. Danapur Branch Near Sati Chaura Takiya Par, P.O.- Digha, District- Patna- 8000017 through its Branch Manager
2. Central Bank of India, Chitkohra Branch, Chitkohra District Patna through its Branch Manager
3. The Administrative Officer, Regional Office, New India Assurance Company Limited, B.S.F.C. Building 6th-7th Floor, Frazer Road, Patna- 800001
4. Ajay Kumar, Surveyor And Loss Assessor, Flat No. 303, Nandlok Apartment, Road No.- 2, Rajendra Nagar, Patna- 800016

.... Respondents

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Appearance :

For the Petitioner : Mr. Shambhu Sharan Singh
Mr. Basant Kumar Tripathy, Advocates
For the Bank : Mr. Ajay Kumar Sinha, Advocate
For Respondent No.1 : Mr.V. C. Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-09-2015 Heard the parties.

2. After some arguments, learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to file a representation before the Central Bank of India, Chitkohra Branch, Chitkohra, District Patna through its Branch Manager (respondent no.2) in terms of Section 13(3-A) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, “the SARFAESI Act”) in the background of the Bank’s notice to the

petitioner as contained in Annexure-8 enclosed with the third supplementary affidavit and his stand that the petitioner is ready to make payment of the outstanding dues of the Bank.

3. As prayed, the writ petition is permitted to be withdrawn and dismissed as such with the aforesaid liberty.

4. It goes without saying that in case the petitioner files the representation as aforesaid within two weeks, the same shall be disposed of in accordance with law.

(Vikash Jain, J)

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