

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21712 of 2014

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Smt. Shanti Devi, wife of Shri Shiromani Singh, Flat No. 25, Harihar Apartment, East Boring Canal Road, Dist- Patna, presently residing at Flat No. -B-203, the Crescent Apartment Plot No. F-2, Sector-50 Noida, Uttar Pradesh.

.... Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Department of Financial Services, Ministry of Finance, 3rd Floor Jeevan Deep Building, Sansad Marg, New Delhi.
2. The State Bank of India, Exhibition Road Branch, Patna through AGM, SARC, Gandhi Maidan, Patna.
3. The Manager, State Bank of India, Exhibition Road Branch, Patna.
4. Sri Sandeep Agrawal, Son of late Om Prakash Agrawal, resident of Saraswati Apartment, S.P. Verma Road, P.O.- Kotwali, Dist.- Patna.

.... Respondent/s

with

Civil Writ Jurisdiction Case No.21740 of 2014

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Smt. Shanti Devi, Wife of Shri Shiromani Singh, Flat No. 25, Harihar Apartment, East Boring Canal Road, Dist. Patna, presently residing at Flat no. B-203, The Crescent Apartment Plot No. F-2, Sector-50, Noida, Uttar Pradesh.

.... Petitioner/s

Versus

1. The Union of India through the Principal Secretary, Department of Financial Services, Ministry of Finance, 3rd Floor Jeevan Deep Building, Sansad Marg, New Delhi.
2. The United Bank of India, Langar Toli Branch, Gulab Palace, 1st Floor, Arya Kumar Road, Machua Toli, Patna, through The Manager, Union Bank of India, Langar Toli Branch, Gulab Palace, 1st Floor, Arya Kumar Road, Machua Toli, Patna.
3. Sri Sandeep Agrawal S/o-Late Om Prakash Agrawal, resident of Saraswati Apartment, S.P. Verma Road, P.S.-Kotwarli, Dist.-Patna.

.... Respondent/s

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Appearance :

(In both the writ petition)

For the Petitioner/s : Mr. Vikas Kumar, Advocate.

For the UOI : Mrs. Kanak Verma, CGC
Mr. Sanjay Kumar (ASG)

For the Bank : Mr. Binod Bihari Sinha, Advocate.
Mr. Sushant Kumar Dutta, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 05-01-2015 Having regard to the fact that the petitioner's application for the relief sought in these two writ petitions is still

pending consideration before the Debts Recovery Tribunal, this Court, for the time being, is not inclined to entertain these two writ petitions.

It is, however, made clear that since the petitioner has come out with a case that she does not have anything to do with the loan taken while mortgaging her exclusive property, which has now been sought to be attached, the interest of justice would be better served if the Debts Recovery Tribunal does not keep the matter unnecessarily pending.

In that view of the matter, this Court would give liberty to the petitioner to produce a copy of this order before the Presiding Officer of the Debts Recovery Tribunal, Patna who thereafter will take expeditious steps to ensure that the applications filed by the petitioner is disposed of as early as possible but in no event later than three months from the date the petitioner would produce a copy of this order.

With the aforementioned observation and direction, both these writ petitions are disposed of.

Sujit/-

(Mihir Kumar Jha, J)

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