

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7046 of 2011

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1. Pashupati Cold Storage Private Limited, through the Director Shri Sanjay Kr. Sarkar, Son of Neel Ratan Sarkar having its registered office at Vaishnav Bhavan, Bandar Bagicha, Dak Bunglow Road, Patna-800001.
 2. Shri Sanjay Kr. Sarkar, Son of Neel Ratan Sarkar, Nutan Arya Apartment, Flat No.-104, Jahazi Kothi Road, Kadam Kuan, Patna-800003.

.... Petitioners

Versus

1. The State Bank of India, through its Chief Manager, Specialized Commercial Branch, 3rd Floor, Govind Bhawan, Dak Bunglow Road, Patna-800001.
2. Chief Manager, State Bank Of India, Specialized Commercial Branch, 3rd Floor, Govind Bhawan, Dak Bunglow Road, Patna-800001.
3. Assistant General Manager, State Bank of India, Local Head Office, Gandhi Maidan, Patna-800001.

.... Respondents

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Appearance :

For the Petitioners : Mr. Amit Prakash, Advocate

For the Respondents: Mr. Mukund Jee, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-10-2015

The present writ petition has been filed for a direction to the respondents to take into account the benefit of subsidy in the matter of categorizing the petitioner-company as Non-Performing Assets on 08.12.2010 and for connected reliefs.

2. Learned counsel for the petitioners, Mr. Amit Prakash, at the very outset submits that the main controversy has now been resolved in view of the amount of Rs.50,00,000/- by way of subsidy now having been released, and all that now remains is the matter of accounting in terms of Clause 6 of the Scheme of the National Horticulture Board (Annexure-2).

3. Mr. Mukund Jee, learned counsel appearing on behalf of the respondent-State Bank of India, accepts that the amount of subsidy has now been released and the matter has to be taken to its logical end.

4. In view of the stand of the parties, the writ petition is disposed of with their consent, granting liberty to the petitioners to approach the Assistant General Manager, State Bank of India, Local Head Office, Gandhi Maidan, Patna (respondent no.3) with a representation for redressal of their grievances, which, if done within a period of six weeks from today, shall be considered and disposed of by a speaking order in accordance with law within a further period of eight weeks thereafter.

5. Needless to say, in case upon disposal of the representation as aforesaid, it is found that no further dues remains outstanding from the petitioners, the mortgaged papers shall be returned to them without undue delay.

(Vikash Jain, J)

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