

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5044 of 2015

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Pawan Kumar son of Ram Balak saw r/o Maharajganj PS. Alamganj Distt.
Patna

.... Petitioner

Versus

1. The Chief Manager State Bank of India, West Gandhi Maidan Patna,
2. Branch Manager Sampatchak state Bank of India PS Sampatchak
Distt.Patna,
3. Md. Rizvi (Authorised representative of Enforcement and Resolution
Agency) Daksh Professional Consulting Pvt. Ltd Exhibition Road, Patna,

.... Respondents

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Appearance :

For the Petitioner : Mr. Shiopujan Singh, Advocate

For the Respondents : M/s Satya Prakash Tripathy and
Satya Vrat, Advocates

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 06-04-2015 Heard learned counsel for the petitioner and the State Bank
of India.

Petitioner seeks release of his mini bus bearing no. BR-O1
PE-4496 which was seized in view of the outstanding dues of
loan against the petitioner.

This is the second time when the petitioner has come to
this Court. On the earlier occasion, the petitioner withdrew his
writ application to move before the competent authority for
redressal of his grievance, however, the same could not
materialize and the bus has been seized.

Learned counsel for the petitioner submits that he is ready
to clear the entire debt of the Bank within six months if some

instalments are fixed and his bus is released after part payment.

Learned counsel for the respondent-Bank submits that the Bank is only interested in realization of the debt.

In the aforementioned facts and circumstances, this writ application is being disposed of with a direction to the petitioner to deposit 30% of the outstanding dues as on date within ten days. On such payment, let his bus aforesaid be released in his favour. Thereafter, let the respondent-Bank fix such instalment to be paid within six months. However, the petitioner would be required to pay the interest which would accrue on the unpaid amount. If the petitioner fails either to deposit 30% of the outstanding dues of loan amount within ten days or anyone of the instalments fixed by the Bank then the Bank would be at liberty to proceed for recovery of the debt in accordance with law.

Let the petitioner appear before the Branch Manager, Sampatchak Branch, State Bank of India, within two days for supply of the details of the debt out of which he will have to deposit 30% within ten days from today.

(Dr. Ravi Ranjan, J)

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