

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2553 of 2015

In

Civil Writ Jurisdiction Case No. 4647 of 2011

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M/s Katihar Flour Mills Pvt. Ltd., a Company incorporated under the provisions of the Companies Act, 1956 having its registered office at 62, Bentick Street, 2nd Floor, P.S.-Lake, Kolkata-700069 through one of its Directors, Binod Kumar Jeloka, son of late Mohan Lal Jeloka, resident of 62, Bentick Street, 2nd Floor, P.S.-Lake, Kolkata-700069.

.... Petitioner/s

Versus

1. The Union of India through the Registrar, Debts Recovery Tribunal, Rai Building, Bank Road, Patna.
2. The Central Bank of India constituted under the Banking Companies (Acquisition & Transfer of Undertaking) Act, 1970 having its Zonal Office situated at Mourya Lok Complex, Dak Bunglow Road, Patna.
3. The Zonal Manager, Central Bank of India, Zonal Office, Mourya Lok Complex, Dak Bunglow Road, Patna.
4. The Branch Manager, Central Bank of India, Katihar Main Branch, District-Katihar.
5. M/S Silverson Tea Co. Pvt. Ltd., having its office situated at 41, Netaji Subhas Road, 4th Floor, Room No.404, Kolkata 700001 (West Bengal)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal
Ms.Anubhuti Modi

For the Opposite Party nos.2to4: Mr. Ajay Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 23-09-2015

Heard the parties.

The writ-petitioner of CWJC No.4647 of 2011 has filed the present MJC application for modification of the order dated 01.07.2015 passed in aforesaid CWJC No.4647 of 2011 only to the extent whereby the petitioner was directed to appear before the learned Debts Recovery Tribunal, Patna within a period of six weeks from the date of aforesaid order with a certified copy of the said order.

Learned counsel appearing on behalf of the petitioner submits that, due to certain technical faults, the order dated 01.07.2015 passed in aforesaid CWJC No.4647 of 2011 could not

be pronounced for quite a long time. Therefore, the petitioner could not obtain a certified copy of the said order, resultantly, it could not appear before the learned Debts Recovery Tribunal, Patna within the time prescribed.

After having heard the parties and for the reasons disclosed in the present MJC application, the prayer for modification is allowed. The order dated 01.07.2015 passed in aforesaid CWJC No.4647 of 2011 is modified only to the extent that the petitioner shall appear before the learned Debts Recovery Tribunal, Patna within a period of two weeks from today with a certified copy of the aforesaid order dated 01.07.2015 as also with a certified copy of the present order, whereafter the learned Debts Recovery Tribunal, Patna shall proceed in the matter further as per the order/direction dated 01.07.2015 issued by this Court.

The present MJC application stands allowed to the extent indicated above.

Arvind/-

(Birendra Prasad Verma, J)

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