

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1837 of 2016

In
Civil Writ Jurisdiction Case No. 3872 of 2016

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1. Archana Devi @ Archana Kumari, wife of Late Kumud Kumar Singh, resident of Village Bihat, Tola Gurdaspur, P.S. Barauni, District Begusarai.

.... Appellant/s

Versus

1. The Chairman, State Bank of India, State Bank Bhawan, Madam Cama Road, Mumbai- 400021.
2. The A.G.M., Stress Asset's Recovery Branch, State Bank of India, 2nd Floor, State Bank Main Branch, Opposite Gandhi Maidan, Patna.
3. The Branch Manager, State Bank of India, Barauni Refinery Townships (BRT) Branch, P.S. Begusarai, District Begusarai.
4. M/S Kisan Diesel Electrical through its Proprietor Om Prakash Kumar, N.H.-31, Opposite Gyan Bharti School, Begusarai.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shivendra Kumar Sinha, Adv.

For the Respondent/s : Mr. Kaushlendra Kumar Sinha, Adv.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 21-10-2016 Aggrieved by the order, dated 29.08.2016, passed in C.W.J.C. No.3872 of 2016, this appeal has been preferred. However, in the meanwhile an original application has already been filed, in the Debt Recovery Tribunal, Patna, by the respondent Bank.

It is submitted by Mr. Shivendra Kumar Sinha, learned Counsel, appearing on behalf of appellant, that the appellant seeks to withdraw this appeal with liberty to oppose the

proceeding, which has been initiated, in the Debt Recovery Tribunal, Patna, by the respondent Bank, subject to the condition that the observations, which have been made by the learned Single Judge, in the order under appeal, shall not cause any prejudice to the appellant's interest.

Heard Mr. Shivendra Kumar Sinha, learned Counsel, appearing on behalf of the appellant, and Mr. Kaushlendra Kumar Sinha, learned Counsel, appearing on behalf of the respondents.

Considering the matter in its entirety and in the interest of justice, this appeal is disposed of as withdrawn making it clear that the observations made, and conclusions arrived at, by the learned Single Judge, in C.W.J.C. No. 3872 of 2016, shall not cause any prejudice to the stand, which the appellant may take in the proceedings before the Debt Recovery Tribunal, Patna.

(I.A. Ansari,CJ)

(Dr. Ravi Ranjan, J)

K.C.jha/-

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