

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3422 of 2013

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Smt. Girija Devi W/O Late Haridwar Singh, Resident at Mohalla-Prithavipur, Pustakalaya Lane, East Lohanipur, Post Office and Police Station- Kadamkuan in the town & District at Patna.

..... Petitioner

Versus

1. The State Bank of India, Personal Banking Branch, S.K. Puri, P.S.- S.K. Puri, Town & District- Patna through its Branch Manager
2. The Authorized Officer, State Bank of India, S.A.R.B., Patna Main Branch, West Gandhi Maidan, Patna.
3. Awadhesh Prasad Verma S/O Late Medhan Prasad Verma,
4. Meena Verma W/O Awadhesh Prasad Verma,
5. Rajesh Kumar Verma S/O Late Medhan Prasad Verma, Respondetn Nos. 3, 4 and 5 residing at Mohalla- Prithvipur, Pustakalaya Lane, East Lohanipur, Post Office and Police Station- Kadamkuan In The Town & District- Patna.
6. Md. Serajuddin, son of Md. Kamaruddin, resident of village and post Pachpakri, District East Champaran, PIN 845427.
7. Asset Reconstruction Company (India) Ltd (ARCIL), Registered office at the Ruby 10th Floor, 29, Senapati Bapat Marg, Dadar (W), Mumbai 400028
8. Manager Legal-cum-Authorised Signatory, Asset Reconstruction Company (India) Ltd (ARCIL), Branch Office-113, Maa Bhagwati Complex, Boring Road Chouraha, Boring Road, Patna 800001.

..... Respondents

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Appearance:

For the Petitioner: Mr. Rajesh Ranjan, Advocate

For the SBI: Mr. Dinbandhu Singh, Advocate

For the Intervener: Mr. Prabhat Kumar Sharan, Advocate

Mr. A.K. Sharan, Advocate

Mr. H.K. Sharan, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-07-2016

Interlocutory Application No. 3614 of 2016 has been filed on
behalf of Assets Reconstruction Company (India) Limited ("ARCIL") for

being impleaded as respondents in the writ petition as the assets connected with the concerned loan accounts have been assigned to it by the respondent State Bank of India.

2. Having regard to the nature of the prayer, I.A. No. 3614 of 2016 is allowed. Learned counsel for the petitioner is permitted to implead the following respondents, and accordingly make appropriate amendments in the writ petition, in course of the day -

- (i) Asset Reconstruction Company (India) Ltd (ARCIL),
Registered office at the Ruby 10th Floor, 29, Senapati
Bapat Marg, Dadar (W), Mumbai 400028.
- (ii) Manager Legal-cum-Authorised Signatory,
Asset Reconstruction Company (India) Ltd (ARCIL),
Branch Office-113, Maa Bhagwati Complex,
Boring Road Chouraha, Boring Road, Patna 800001.

3. Heard learned counsel for the petitioner, learned counsel for the respondent Bank and learned counsel for the newly added Respondent Nos. 7 and 8.

4. Learned counsel for the petitioner at the very outset submits that having stepped into the shoes of the borrowers and having purchased the subject property from them, she is willing to discharge the liability to the extent created by the mortgager and for that purpose she would represent before the newly added respondents for their consideration.

5. Learned counsel appearing on behalf of the newly added respondents does not have any objection in that regard.

6. The writ petition accordingly stands disposed with liberty

to the petitioner to approach the respondent No. 8 with a fresh representation, which if filed within a period of four weeks from the date of receipt/production of a copy of this judgment, the same will be considered and disposed of.

7. It is expected that the respondents would not proceed to issue the sale certificate to the auction purchaser till disposal of the petitioner’s representation, if filed within the period stipulated above.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.07.2016
Transmission Date	N.A.