

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.550 of 2018

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M/s R. N. S. Enterprises Pvt. Ltd Through its Director, Kumar Nagmani, Son of Late Ramanand Singh, Resident of Village+P.O.- Khilwat, P.S.- Bidupur, District- Vaishali.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Deptt. of Environment and Forest, Bihar, Patna.
3. The Engineer in Chief-cum-Additional Commissioner-cum-Special Secretary, Building Construction Department, Bihar, Patna.
4. The District Magistrate, Vaishali at Hajipur.
5. The District Development Commissioner, Vaishali at Hajipur.
6. The Block Development Officer, Bidupur, District- Vaishali.
7. The Chief Manager (Authorise Officer), Punjab National Bank, Gandhi Nagar Branch, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Sandeep Kumar, Advocate. Mr. Shivjee Singh, Advocate.
For the State	:	Mr. Raghwanand, GA 11 Mr. Sanjay Kr. Tiwari, AC to GA-11
For the PNB	:	Mr. Nilamber Pd. Verma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 11-01-2018

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for the
following reliefs:

“(a) To issue an order/orders, direction/directions, writ/writs in the nature of mandamus commanding upon the respondents concerned not to take any coercive action against the notice of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter termed as



SARFAESI) upon the petitioner whereby and whereunder the petitioner has demanded repayment of entire dues amounting to Rs. 65,95,360/- with further interest at the contracted rate until payment in full within 60 days from the date of this notice and the same is contained in Annexure-17 of this writ application.

(b) To hold and declare that the business of the petitioner has badly suffered on account of total ban on the supply of sand and be pleased to grant sufficient period of time to the petitioner for revival the business in order to regularizing the both loan accounts.

(c) To grant any other relief/reliefs to which the petitioner is found to be entitled for.”

3. Learned counsel for the petitioner however has filed a mentioning slop confining relief sought and submits that it would suffice if a direction is issued to the respondents to dispose of the petitioner's objection filed pursuant to notice dated 21.12.2017 issued under Section 13(2) of the SARFAESI Act (Annexure-18).

4. Learned counsel for the respondents appears and has been heard.

5. Having regard to the nature of the restricted prayer of the petitioner, the writ petition is disposed of with a direction to the Chief Manager (Authorized Officer), Punjab National Bank, Gandhi Nagar Branch, Patna (respondent no. 7) to consider and dispose of the petitioner's objection dated 21.12.2017, if still pending, in accordance with law.



Md. Ibrarul/BT

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.01.2018
Transmission Date	N.A.

