

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17081 of 2013

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Manoj Kumar Son Of Late Krishna Chandra Choudhary Resident Of Mohalla-
Imlichatti, P.S.- Brahampura, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Tirahut Division, Muzaffarpur
2. The Collector, Muzaffarpur
3. The Branch Manager, Union Bank, Motijhil, P.S.- Town, District- Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. R.C. Sinha, Advocate
For the Respondent-Bank : Mr. A. Sharan, Advocate
Mr. Prabhat Kumar Sharan, Advocate
Mr. Hemant Kumar Sharan, Advocate
For the State : Mr. Madhukar Mishra, AC to SC-16

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-10-2018

The present writ petition has been filed for quashing the order dated 29.04.2013 passed in Certificate Appeal No. 9/2002-03 whereby and where under the respondent Commissioner directed the petitioner to pay the amount (certificate amount) to the Bank and as such confirmed the order dated 07.07.2001 of the learned Collector by which the order passed in Certificate Case No. 633/1993-94 on 03.11.1996 was set aside.

2. At the outset itself, learned counsel for the respondents invites reference to paragraph- 18 of the counter affidavit filed on 11.09.2018, stating that the petitioner has intentionally



suppressed the fact of having filed Title Suit No. 312 of 1995 for the similar allegations, which is yet pending before the Sub Judge-1st, Muzaffarpur.

3. Learned counsel for the petitioner accepts that Title Suit No. 312 of 1995 is pending adjudication with regard to the connected dispute.

4. In the above circumstances, this Court is not inclined to interfere in the matter. The writ petition stands dismissed.

(Vikash Jain, J)

N.H./- Chandran

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	03-10-2018
Transmission Date	N/A

