

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15668 of 2016

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M/s Maa Mundeshwari Food Pvt. Ltd., a registered office at Old Town Munshi Tola, Daud Nagar, through one of its Director namely Shyam Kishore Prasad Son of Late Deo Nandan Prasad, R/o Urmila Vill, Surya Mandir Road, Sahpur, Aurangabad.

.... Petitioner/s

Versus

1. The Central Bank of India having its Registered office at Nariman Point, Mumbai, through its Chairman Cum Managing Director.
2. The Senior Regional Manager, Central Bank of India having its Regional office at Maurya Lok, Patna.
3. The Chief Manager cum Authorized Officer, Central Bank of India, Ramesh Chowk, Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv

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

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 12-07-2018

The present writ petition has been filed for the following reliefs—

(i) For issuance of a writ/order/direction upon the respondents to allow the disposal by way of sale of rice mill including plant and machinery, land and civil construction of the petitioner company in favour of a potential buyer ready in and to purchase the whole unit at handsome amount.

(ii) For issuance of a writ/order/direction to get the entire amount of sale consideration of Rs. 1.50 crore as agreed with the



intending buyer, deposited with the respondent bank at its branch at Aurangabad within a period of 90 days from the date of such direction.

(iii) For issuance of a writ/order/direction upon the respondents to hand over the physical possession of the rice mill unit of the proposed buyer immediately which is the only condition requested for by such buyer against payment of handsome amount of sale consideration of Rs. 1.50 crore directly to the respondent bank.

(iv) For issuance of a declaration that no purpose would be served by losing a potential buyer, presently in hands, of the rice mill unit which is fresh and active enough for production and the petitioner company is not in a position to operate the rice mill unit in a situation of working capital crisis which would compel the respondent bank to cause a distress sale of the unit in future, may be at a rate much lower than what is being paid by the present buyer available with the petitioner.

(v) For grant of any other relief or reliefs to which the petitioner is found entitled in the facts and circumstances of the case.

2. At the very outset, learned counsel for the petitioner submits that it will suffice if the petitioner is granted liberty to file a fresh representation before the Senior Regional Manager, Central Bank of India, Regional Office at Maurya Lok, Patna (Respondent No. 2) for redressal of its grievances, in which event, the present writ petition



need not be pressed on merits.

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

4. Having regard to the nature of the grievances and the stand of the petitioner, the present writ petition is disposed of with liberty to file a fresh representation before the Senior Regional Manager, Central Bank of India, Regional Office at Maurya Lok, Patna (Respondent No. 2) for redressal of its grievances. If any such representation is filed within a period of two weeks from today, the same shall be considered and disposed of on its own merits in accordance with law.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.07.2018
Transmission Date	NA

