

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25 of 2013

STATE BANK OF INDIA AS BODY CORPORATE CONSTITUTED UNDER STATE BANK OF INDIA ACT, 1955 HAVING ITS CORPORATE CENTRE AT MADAM CAMA ROAD, MUMBAI - 400025 AND ONE OF ITS LOCAL OFFICE AT WEST GANDHI MAIDAN, PATNA - 800001 AND ONE OF ITS BRANCH OFFICE AMONGST OTHERS PLACES KNOWN AS STATE BANK OF INDIA, EXHIBITION ROAD BRANCH, PATNA - 800001, THROUGH CHIEF MANAGER, SARB, 2ND FLOOR,, SBI MAIN BRANCH BUILDING, WEST GANDHI MAIDAN, PATNA - 800001

... .. Petitioner/s

Versus

1. GIRJA SHANKAR PRASAD S/O LATE CHHUNI LAL RESIDENT OF MOHALLA - VELWARGANJ, P.S. - ALAMGANJ, PATNA CITY, DISTRICT - PATNA
2. SRI KAMLESH VERMA S/O LATE JAGDISH PRASAD VERMA H/O LATE LALITA VERMA, MOHALLA - SINDHUATOLI, P.S. - ALAMGANJ, P.O. GULZARBAGH, DISTRICT - PATNA - 800007, C/O SRI MUKESH VERMA, S/O SRI SURESH CHANDRA VERMA, BESIDES ADHUNIK VASTRALAYA, ASHOK RAJPATH, P.S. - SULTANGANJ, DISTRICT - PATNA
3. M/S EMPIRE HOSIERY, A PROPRIETORSHIP FIRM, HAVING ITS OFFICE AT TRIPOLIA, GULZARBAGH, P.S. - ALAMGANJ, DISTRICT - PATNA
4. SRI MUKESH VERMA S/O SRI SURESH CHANDRA VERMA RESIDENT OF MOHALLA - CHOUDHARY TOLA, BESIDES ADHUNIK VASTRALAYA, ASHOK RAJPATH, P.S - SULTANGANJ, DISTRICT - PATNA
5. SRI AJAY YADAV SON OF LATE LALA PRASAD YADAV RESIDENT OF MOHALLA - GURHATTA, RAI JAI JRISHNA ROAD, P.S. - KHAJEKALAN, DISTRICT - PATNA
6. SRI BHUSHAN KUMAR YADAV SON OF LATE LALA PRASAD YADAV RESIDENT OF MOHALLA - GURHATTA, RAI JAI JRISHNA ROAD, P.S. - KHAJEKALAN, DISTRICT - PATNA
7. SRI PAPPU YADAV SON OF LATE LALA PRASAD YADAV RESIDENT OF MOHALLA - GURHATTA, RAI JAI JRISHNA ROAD, P.S. - KHAJEKALAN, DISTRICT - PATNA
8. SRI SANJAY YADAV SON OF LATE LALA PRASAD YADAV RESIDENT OF MOHALLA - GURHATTA, RAI JAI JRISHNA ROAD, P.S. - KHAJEKALAN, DISTRICT - PATNA
9. SRI BABLOO YADAV SON OF LATE LALA PRASAD YADAV RESIDENT OF MOHALLA - GURHATTA, RAI JAI JRISHNA ROAD, P.S. - KHAJEKALAN, DISTRICT - PATNA

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Sinha, Advocate
For the Respondent/s : Mr. Subhash Chandra Bose, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL JUDGMENT

Date : 30-03-2018

Heard and perused the record.



2. It appears that the present writ application has been filed by the petitioner for setting aside the order dated 26.04.2012 passed by Sub Judge-Ist, Patna City in Title Suit No.258 of 2010 whereby and whereunder the learned court below rejected the prayer of the petitioner to dismiss the suit on the ground of maintainability under the provision of Section 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. According to learned counsel for the respondents, the entire amount payable to the petitioner-bank has been cleared. In this regard, he produced copy of order dated 09.03.2015 passed by one of the coordinate Bench of this Court in CWJC No.6699 of 2010 which was filed by the present respondents. In the said writ, the present petitioner had not disputed about the payment of entire outstanding dues of the bank.

3. In the facts and circumstances of the case, this writ application is dismissed.

(Sanjay Kumar,J)

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