IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2275 of 2019

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Sanjiv Kumar Agrawal, aged about 47 years, Male, Son of Late Arvind Kumar Agrawal, Resident of Mohalla Near Hotel Raj Kumar Salimpur Ahra, P.S. Kadam Kuan, District Patna, at Present residence of Village-Kharag Narayan Road Mungeriganj Near Hanuman Temple Ward No. 32 P.S. Begusarai, District Begusarai.

... ... Petitioner.

Versus

1. The State Bank of India through General Manager,Retail Assets Central Processing Centre (RACPC), Ist Floor Patna Main Branch Building, West Gandhi Maidan, Patna-1 District Patna.
2. The Branch Manager, State Bank of India Branch Rajiv Nagar, Patna 800024, District-Patna Bihar.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Kamlesh Kumar
For the Respondent/s	:	Mr.Kaushlendra Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

6 12-04-2019 A fair stand has been taken in the counter affidavit filed on behalf of the Bank. It is stated that the Bank's dues as on 28.02.2019 is Rs.3,05,282.24 Paise with further interest at contractual rate with effect from 01.03.2019. There is also a categorical statement in the counter affidavit that the petitioner has not given any proposal for liquidating his liability before the respondent Bank after 07.02.2019, i.e., the day when an interim order was passed by this Court in the present proceeding.

A copy of the counter affidavit was served on learned counsel for the petitioner on 05.03.2019. The case was fixed for hearing on 09th April, 2019. Till today, no rejoinder has been filed to the counter affidavit to controvert the statements made in the counter affidavit of the Bank.

In the aforesaid circumstance, this Court finds no reason to direct the respondent Bank to release the vehicle of the petitioner. If so advised, the petitioner may still approach the Bank within a period of 15 days from today and submit his proposal to liquidate the loan with interest up to date. If such an application/proposal is submitted before the Bank, the same will be considered and an appropriate decision shall be taken thereon. For a period of 15 days from today the vehicle in question shall not be sold.

The writ application is disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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