

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18998 of 2017

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Pushpa Devi Wife of Sri Surendra Kumar Shawarn Resident of Manik
Kunwar Niwas, Sati Asthan, Masaurhi, P.S. Masaurhi, District Patna.

... .. Petitioner/s

Versus

1. The Punjab National Bank and Ors
2. The Branch Manager, The Punjab National Bank , Transport Nagar, Patna
3. The Authorised officer, Punjab National Bank, Circle Office, Chanakya Tower, R Block , Patna.
4. The Debts Recovery Tribunal , Patna through the Registrar.
5. The Presiding Officer, Debts Recovery Tribunal , Patna.
6. Awadh Kishore Singh Son of late Deo Narain Singh Resident of Village P.O. Hansdiha, P.S. Masaurhi, District Patna.
7. Dharmendra Kumar Son of late Indradeo Kumar Proprietor of M/S Harsh Agency, Resident of Village P.O. Hansdiha, P.S. Masaurhi, District Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sandeep Kumar, Advocate
		Mr. Rohit Raj, Advocate
For the Resp. No. 8	:	Mr.Kumar Priya Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-08-2019 After some argument, learned counsel for the petitioner is unable to satisfy this court as to why on the face of the finding of the Tribunal that it is the petitioner who had agreed to receive the amount with interest and cost, this writ application be entertained. In fact the finding of the learned Tribunal in the impugned judgment dated 05.09.2017 passed in S.A. no. 41 of 2013 reads as under:

“Ld. Counsel of the auction purchaser submits that he is ready to receive the amount with interest & cost as per order of this Tribunal, accordingly, the



Bank has handed over DD No. 445343 of Rs. 28,35,000/0 (Rs. 27,00,000/- towards the auction money + Rs. 1,35,000/- as interest and cost) to the Id. Counsel of auction purchaser. Id. Counsel of the parties further submits that they don't want to proceed further in this SA."

In the aforesaid view of the matter, there is no reason to interfere with the impugned order which has been passed with consent of the parties.

Learned counsel for the Bank is present.

This Writ Application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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