

IN THE HIGH COURT OF JUDICATURE AT PATNA
FIRST APPEAL No.304 of 2001

-
1. Relief Medichem (India) Pvt. Ltd., a company registered under the Companies Act, 1956 having its registered office at 'Saket' Sahyogi Press Lane, Exhibition Road, P.S. Gandhi Maidan Town and Distt. Patna, through its Managing Director Satendra Kumar Singh, Dujra, Patna.
 2. Ashok Kumar Gupta, son of late Raj Banshi Prasad, resident of Bhawanipur Zirat (Shastri Nagar), Motihari, P.S. Motihari, Distt. East Champaran.
 3. Satyendra Kumar Singh, son of Vishwanath Singh, residing at New Road, Dujra, P.S. Budha Colony, Town and Distt. Patna.

... .. Appellant/s

Versus

BANK OF INDIA, a body corporate constituted under the Banking Companies (Acquisition and Transfer of undertaking) Act V of 1970, having its Head Office at Express Towers, Nariman Point, Bombay-400 021 and a Branch amongst other places at Karbigahia, Jakkanpur, Town and Distt. Patna, through its Branch Manager.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rana Ishwar Chandra, Advocate.
For the Bank of India : Mr. Rupak Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9 08-07-2019 I.A. No. 9489 of 2018 filed on behalf of the Appellant

has been pressed today. Counsel for the Respondent Bank is

present.

Counsel for the Appellants submits that in the instant

First Appeal the matter has been compromised between the

parties with one time settlement and the account of the

appellants i.e. cash credit facility with the concerned Bank has

now been closed in the books of account through write-off and

thereafter, a "No Dues Certificate" has been issued by the

authorised authority of the concerned Bank, i.e. Bank of India,



vide letter No. BOI/ARB/AK/18-19/01 dated 2.7.2018. Xerox copy of “No Dues Certificate” has been enclosed as Annexure-1 of the Interlocutory Application. Counsel for the Appellants further submits that Appellants had filed the instant Appeal against the Judgment and decree dated 31.03.2001 and 12.04.2001 respectively, passed in Title Mortgage Suit No. 328 of 1997 by the learned Sub Judge-III, Motihari.

The Appellants had approached the competent authority of the concerned Bank for compromise under one time settlement.

In such circumstances, tounsel for the Appellants seeks permission to withdraw the instant First Appeal.

The instant First Appeal is dismissed as withdrawn.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

