

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20177 of 2016

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1. M/s Asadullah Cold Storage, Partnership Firm having place of business at Chanp, vilalge and P.O.- Chanp, P.S.- Pachrukhi, District- Siwan through its Managing Partner, Naushad Ali Farooqui, Son of Mohmmad Ali Resident of Village-Chanp, P.S.-Pachrukhi, Distt.-Siwan
 2. Naushad Ali Farooqui Son of Mohammad Ali, Managing Partner Resident of Village-Chanp, P.S.-Pachrukhi, Distt.-Siwan
 3. Mohammad Ali Son of Late Hazi Abdula Zabbar Farooqui Resident of Village-Chanp, P.S.-Pachrukhi, Distt.-Siwan

... .. Petitioner/s

Versus

1. The Debt Recovery Tribunal, Bihar, Patna
2. The Presiding Officer, debt Recovery Tribunal, Bihar, Patna
3. THe Recovery Officer, Debt Recovery Tribunal, Bihar, Patna
4. Bank of Baroda, having is Corporate Office, Bandra Kurla Complex, Bandra East, Mumbai-51
5. Bank of Baroda, Saran, Siwan through its Branch Manager, at Siwan, P.O.- Siwan, P.S.-Siwan, District
6. The Union of India

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Umashankar Prasad, Sr. Advocate Mr. Kamala Kant Tiwary, Advocate
For the Bank	:	Mr. Ratnesh Nandan Sinha, Advocate Mr. Purushotam Prasad, Advocate
For the Union of India	:	Mrs. Kanak Verma, C.G.C.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 02-04-2019 After some argument learned Senior Counsel having realized that there is an alternative statutory remedy available to the petitioner before the Recovery Officer, Debts Recovery Tribunal as also the order of the Recovery Officer is appealable before the Presiding Officer of the Debts Recovery Tribunal, seeks permission to withdraw this writ application with liberty



to approach the Recovery Officer with an appropriate application raising all such issues with regard to valuation and other matters which are available to the petitioner.

Learned counsel for the Bank has no objection to the petitioner's availing statutory remedy in accordance with law.

In the given facts and circumstances, permission is granted to the petitioner to withdraw this writ application with liberty to approach the Recovery Officer, Debts Recovery Tribunal with an appropriate application which will be considered by the Recovery Officer in accordance with law. It will be open for the petitioner to raise all such issues which are available to him before the Recovery Officer.

This writ application stands disposed of in the aforesaid terms.

(Rajeev Ranjan Prasad, J)

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