

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3066 of 2018

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M/s Sri Mahabir Enterprises Pvt. Ltd. Through Its Managing Director, Siddharth Kishor son of Shri Ratneshwar Prasad Singh, Resident of Vill P.O.-Gangapur, District- Samastipur and having its Office at Vill and Post Office-Gangapur, District- Samastipur.

... .. Petitioner/s

Versus

1. Syndicate Bank having its head office at Karnataka Regional Office, Patna and branch office at Kasba Ahar Branch, Tajpur, District-Samastipur.
2. M/s Ask vision Implex Pvt. Ltd. through its Director Ravi Kumar Singhaniya, Q No. 2, Chandi Vyapar Bhawan, Near Big Bazar, Exhibition Road, Patna-80001.
3. Smt. Vimal Devi Jain, Wife of Nemichand Jain, Village- Marwarhi Thakur, Barhi Gali, Ward No. 22, P.S. District- Samastipur.
4. Abhijeet Kumar, Son of Late Devendra Prasad Singh, Village New Patliputra Colony, P.O. P.S.- Patliputra, District- Patna.
5. Smt. Sujata Ranjan, Wife of Prabhat Ranjan, Village P.O. Mali Nagar, P.S.- Chakmehshi, District- Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Abhinav Srivastava
For the Respondent/s : Mr.Sanjiv Kumar.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 13-09-2019 After some argument, Mr. Abhinav Srivastava, learned counsel representing the petitioner submits that he would not press this writ application, instead liberty may be granted to the petitioner to seek his remedy before the statutory appellate forum available under the provisions of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (hereinafter referred to as the 'Act of 1993').

Learned counsel for the bank has no objection to the



same save and except that according to him the remedy of appeal has already become barred by limitation.

In the given facts and circumstances, this writ application is permitted to be withdrawn with liberty to the petitioner to seek his remedy, if so advised, before the appellate authority under the Act of 1993. If such a remedy is applied for and a question of limitation arises for consideration the same will be considered keeping in view the period spent by the petitioner before this Court.

This application stands disposed off.

(Rajeev Ranjan Prasad, J)

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