

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16287 of 2019

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1. M/s Kishan Rice Industry Pvt. Ltd. through its director Raj Ballabh Singh, R/o Village-Narsanda, Chandi, P.S. Chandi, District-Nalanda
 2. Raj Ballabh Singh Son of Shivnarayan Singh, R/o Village-Narsanda, Chandi, P.S. Chandi, District-Nalanda
 3. Shivnarayan Singh Son of Ram Gulam Singh, R/o Village-Narsanda, Chandi, P.S. Chandi, District-Nalanda
 4. Prithvi Pal Singh Son of Shivnarayan Singh, R/o Village-Narsanda, Chandi, P.S. Chandi, District-Nalanda
 5. Shivyatan Singh Son of Ramanugrah Singh, R/o Village-Narsanda, Chandi, P.S. Chandi, District-Nalanda

... .. Petitioners

Versus

1. The Punjab National Bank through the Head Office, Zonal Office, Bihar at Patna
2. The Recovery Officer Debt Recovery Tribunal, office at AB and F, Karpoori Thakur Sadan, Ashiana Digha Road, Patna-800025

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Singh, Advocate
For the Bank	:	Mr.Kumar Priya Ranjan, Advocate
		Mr.Pallav, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-10-2019 After some arguments, learned counsel for the petitioners seeks permission to withdraw this writ application with liberty to prefer a statutory appeal before the Debts Recovery Appellate Tribunal. Learned counsel submits that since action has also been initiated under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the 'SARFAESI Act, 2002'). They have already availed the remedy before the



Debts Recovery Tribunal under the provisions of SARFAESI Act, 2002.

Learned counsel for the Bank is present and has no objection to the same for availing their alternative remedy.

In the given facts and circumstances of the case, the writ application is being disposed off by allowing the petitioners to withdraw this writ application with liberty to pursue the alternative remedy available to them. If any such remedy is applied for and a question of limitation arises for consideration, the same shall be considered keeping in view the period spent by the petitioners before this Court.

(Rajeev Ranjan Prasad, J)

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