

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.602 of 2017

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Bela Sinha widow of late Dilip Kumar Sinha R/o Mohalla - Belisarai, Hotel Pradip, P.S. Town Thana Motihari, P.O. - Motihari, East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the District Magistrate, Motihari, East Champaran.
2. The District Magistrate, Motihari, East Champaran.
3. The Superintendent of Police, Motihari, East Champaran.
4. The Station House Officer, Town Thana, Motihari, East Champaran.
5. The Central Bank of India through its Branch Manager, Boring Road, Patna.
6. The Branch Manager, Central Bank of India, Boring Road, Patna.
7. The Managing Director, Central Bank of India, Mumbai.
8. The Zonal Manager, Central Bank of India, Patna Zone, Patna.
9. M/s Om Shri Township and Infrastructure Ltd. having its office at 401, Ashiana Chamber, Exhibition Road, Patna-1, Bihar through its Directors Shri Badri Kumar Mittal and Ram Kishan Mittal.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Vagisha Pragya Vacaknavi, Adv.
For the State	:	Mr. Ruchikar Jha, AC to SC-8
For the Bank	:	Mr. Ajay Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 08-08-2019 Ms. Vagisha Pragya Vacaknavi, learned counsel appears and submits that her client has already taken away the brief from her office.

No one else appears on behalf of the petitioner.
Learned counsel for the bank is, however, present.

It appears from perusal of the writ application that the petitioner has challenged the order dated 28.04.2016 passed by the Recovery Officer, Debts Recovery Tribunal, Patna in R.P.



Case No.73 of 1999 by which the Recovery Officer has confirmed the e-auction sale of the land and building in question.

Learned counsel for the bank submits that the order passed by the Recovery Officer is an appealable order under Section 30 of the Recovery of Debts Due to Banks and Financial Institution Act, 1993. Instead of pursuing his remedy in appeal the petitioner preferred to file this writ application. It is his submission that the writ application is even otherwise not fit to be entertained as the sale in question has already been confirmed in favour of the auction-purchaser.

Since no one has appeared on behalf of the petitioner to press this writ application, this Court has reasons to believe that the petitioner has lost interest in this case. Even otherwise, this writ application is not fit to be entertained against the order of Recovery Officer.

This writ application thus stands dismissed as not pressed.

(Rajeev Ranjan Prasad, J)

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