

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7579 of 2020

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Veena Singh @ Vina Singh W/o Chandra Shekhar Singh, Resident of Mahatma Gandhi Nagar, Near Buddha Dental College, Kanti Factory Road, Kankarbagh, Patna- 800020, Guarantor as well as Mortgager.

... .. Petitioner

Versus

1. Indian Bank Patna Main Branch, Biscomaun Building, Ground Floor, West of Gandhi Maidan, Patna - 800001.
2. Mr. Sanjay Kumar Singh, S/O Sri Bhola Prasad Singh, Proprietor of M/S Sai Enterprises 51, Patliputra Colony, Patna 800013, Guarantor as well as mortgager.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Rajendra Narayan, Sr. Advocate Mr. Arvind Kumar, Advocate
For the Respondents	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-09-2020 Filing through email of the present application has been accepted in view of the out-break of COVID-19 Pandemic and has been posted before me for hearing through video conferencing.

The application is apparently not in accordance with the provisions prescribed under the Patna High Court Rules, which do not contemplate filing of application through email. In spite of that, considering the extra-ordinary situation, filing of the present application has been allowed through email.

Considering the situation prevailing, the Court has considered, for the present, to ignore the deficiency in filing of



the application.

Heard Mr. Rajendra Narayan, learned senior advocate appearing for the petitioner.

The present writ petition has been preferred by the petitioner for directing the Chairman, Indian Bank as well as the police authority/ CBI to investigate the case regarding conversion of M/S Sai Enterprises, a proprietorship firm to M/S Sai Enterprises, a partnership firm wherein the borrower proprietor, namely, Sanjay Kumar Singh was omitted without any communication and knowledge and M/S Sai Enterprises, a partnership firm was made guarantor-cum-mortgager without any document or any sign on the loan sanction letter dated 07.10.2008 which is mandatory provision for issuance of the loan sanction letter of Rs.150 lakhs i.e. (1 crore 50 lakhs).

After some arguments, Mr. Rajendra Narayan, learned senior advocate appearing for the petitioner seeks leave to withdraw the present application with liberty to approach the police for institution of an FIR.

Leave is granted.

The application is disposed of.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been



restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Sr. Secretary.
- (ii) The corrected copy of the order shall be transmitted by me from my email id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let a copy of the order be sent to Mr. Arvind Kumar, learned counsel for the petitioner also on his email.
- (v) Let steps be taken by the Sr. Secretary/registry for uploading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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