

IN THE HIGH COURT OF JUDICATURE AT PATNA

C.W.J.C. No. 6039 of 2021

Sambhu Kumar, s/o Ramshlok Rai, r/o vill-Kursaha, PO-Kursaha, PS-Mohiuddin Nagar, Dist-Samastipur

... .. Petitioner/s

Versus

1. The Union of Indian through its Secretary, Ministry of Micro, Small and Medium Enterprises, Government of India, New Delhi.
2. The Commissioner, Khadi and Village Industries Commission, Ministry of MSME, Government of India, PO B.V. College, Sheikhpura, Patna.
3. The Director, Khadi and Village Industries Commission, Ministry of MSME, Government of India, PO B.V. College, Sheikhpura, Patna.
4. The General Manager, District Industries Centre, Samastipur.
5. The Regional Manager, South Bihar Gramin Bank, Samastipur.
6. The Branch Manager, South Bihar Gramin Bank, Mohiuddin Nagar Branch, Samastipur.
7. The District Nilampatra Padadhikari, Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Opposite Party/s: Ms. Anuradha Singh (SC 21)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 07-09-2021 The instant petition has been taken up for consideration through the mode of Video Conferencing in view



of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner Sri Shashi Bhushan Kumar and the learned counsel appearing for the respondent- State Ms. Anuradha Singh, SC 21.

The present writ petition has been filed seeking the following reliefs :-

- (i) *To quash the attachment notice dated 09.12.2018, issued by the Neelampatra Padadhikari, Samatipur, whereby and whereunder it is directed that the petitioner has not deposit Rs. 6,69,620/- so attach his property and take appropriate action.*
- (ii) *To further quash the entire proceeding of Certificate case no. 1/2016-17.*
- (iii) *To quash possession notice dated 03.12.2019 issued by the respondent bank by which the borrower having failed to repay the amount, notice is hereby given to the borrower and the public in general that the under signed has taken possession of the property described herein below in exercise of powers conferred on him/her under Section 13(4) of the said Act r/w rule 9 of the said Rules on this 03rd day of December*



the year 2019.

At the outset, the Ld. counsel for the petitioner seeks liberty to avail the alternative remedy available under the law.

Accordingly, the present writ petition stands disposed of as not pressed, however with the aforesaid liberty.

(Mohit Kumar Shah, J)

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