

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6765 of 2021

1. Vivek Chandra Jaiswal @ Vivek Jaiswal, son of Sri Nawin Chandra Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
2. Vikas Chandra Jaiswal, son of Sri Nawin Chandra Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
3. Rahul Chandra, son of Sri Sanjay Kumar Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
4. Hrithik Chandra, son of Sri Sanjay Kumar Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.

... .. Petitioner/s

Versus

1. The Authorized Officer-cum-Branch Manager, Punjab National Bank, Kankarbagh Branch, Patna, District-Patna.
2. Nawin Chandra Jaiswal, son of Late Mathura Prasad Jaiswal and Late Bhagwan Devi, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
3. Praveen Chandra Jaiswal, son of Late Mathura Prasad Jaiswal and late Bhagwan Devi, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
4. Sanjay Kumar Jaiswal, son of late Mathura Prasad Jaiswal and late Bhagwan Devi, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
5. Piyush Chandra Jaiswal, son of Sri Praveen Chandra Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
6. Pratush Chandra Jaiswal, son of Sri Praveen Chandra Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
7. Ayush Chandra Jaiswal, son of Sri Praveen Chandra Jaiswal, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
8. Dhananjay Kumar, son of late Mathura Prasad Jaiswal and late Bhagwan Devi, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
9. Rohan Kumar, son of Dhananjay Kumar, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.
10. Aman Kumar, son of Dhananjay Kumar, resident of Mohalla-Rai Jai Krishna Road, Gurhatta, Patna City-800008, P.S. Khajekalan, District-Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate
For the Respondent/s : Mr.

**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)**

Date : 15-12-2021

Petitioner has prayed for the following relief(s):

“For a direction to the respondent no.1 to restrain him from effecting the auction sale notice published in the daily newspaper ‘Hindustan’ dated 24.01.2021, whereby and whereunder he has fixed a date of auction of the property on 25.02.2021 mentioning therein that the auction of the property which has been belonging under the name of late Dr. Mathura Prasad Jaiswal and placed under mortgage on behalf of the borrower Dhananjay Kumar and respondent late (Smt) Bhagwan Devi who has died on 22.01.2020.”

Dr. K. N. Singh, learned Additional Solicitor General, invites our attention to the notification dated 13th of December, 2021, whereby Presiding Officer, Debt Recovery Tribunal, Ranchi has been given charge of Debt Recovery Tribunal, Patna and now the Tribunal is functional.

In this view of the matter, petitioners state that they shall immediately move an appropriate application before the Tribunal.



We direct status quo to be maintained for two weeks by the parties. Thereafter, interim order shall stand automatically vacated.

With aforesaid observation, the writ petition stands disposed of.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	17.12.2021
Transmission Date	

