

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.174 of 2021

In
Civil Writ Jurisdiction Case No.8883 of 2020

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1. Gautam, Son of Sunil Kumar Singh
 2. Neha Kumari, Wife of Gautam
Both are resident of Cingus Vihar, Indian Oil Campus, Behind Mandal
Honda, Forbisganj, P.O. and P.S. Forbisganj, District Araria.

... .. Appellant/s

Versus

1. The Bank of Baroda (Gujrat) through the Managing Director.
2. The Managing Director, the Bank of Baroda, Vadodara (Gujarat).
3. The Authorized Officer-cum-Chief Manager-cum-Branch Manager, Bank of Baroda, Forbisganj Branch, Ram Manohar Lohia Path, Hospital Road, Forbisganj, District- Araria.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ajit Kumar Singh, Advocate
For the Respondent/s	:	Mr.Manish Kishore, Advocate
		Mr. Bal Bhushan Choudhary, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJAN GUPTA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 21-10-2021

This memo of appeal is filed for setting aside the impugned judgment and order dated 08.02.2021 passed by the learned Single Judge in CWJC No. 8883 of 2020.

It is not in dispute that the property has been sold and third party interest stands created. Also, it is not in dispute that the writ petitioners have initiated appropriate proceeding, challenging such action in accordance with law.



We further find that appellants had failed to honour the undertaking furnished by them as recorded in the order dated 3rd December, 2020 passed in CWJC No. 8883 of 2020, titled as Gautam & Anr. Vs. The Bank of Baroda & Ors.

Under these circumstances, we are not inclined to interfere with the impugned order. However, as prayed for, liberty is granted to the appellants to raise all pleas, as are available, in accordance with law, in the proceeding already initiated challenging the action.

As such, present appeal stands disposed of.

Interlocutory application, if any, stands disposed of.

(Sanjay Karol, CJ)

(Rajan Gupta, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	22.10.2021
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