

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8396 of 2021

M/s M.M. Agro Ventures Pvt. Ltd. Situated at Village- Kuwahi, P.O. and P.S.- Barharia, District- Siwan and registered office at 6 B/26, Tilak Marg, North Shri Krishnapuri, P.S.- Shri Krishnapuri, Town and District- Patna, Pin- 800 013, through its Director Mitesh Kumar, aged about 42 years (M), son of Late Mannu Prasad, resident of Village and P.O.- Hardiya, Via- Barhariya, P.S.- Barhariya, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Bihar, Patna.
2. The Chairman, the Debts Recovery Tribunal, Patna.
3. The Corporation Bank, through its Branch Manager, Patna Main Branch, Exhibition Road, Patna.
4. The Branch Manager, Corporation Bank, Patna Main Branch, Exhibition Road, Patna now merged in Union Bank of India.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Shri Yogendra Kumar Singh, Advocate
For the Respondent/s	:	Smt. Anuradha Singh, SC-21
		Shri K. N. Singh, ASG
		Smt. Vandana Kishore, Advocate
		Shri Abhijeet Gautam, Advocate

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

Date : 16-12-2021

The petitioner has prayed for the following relief/s :-

- (i) For issuance of an appropriate writ for quashing of the order dated 30-3-2019 (Anx.- 9) passed by the Learned Debt Recovery Tribunal (hereinafter to be referred as " D R T " in short) in O . A . No. 754 of 2018 (Corporation Bank versus M.M. Agro Ventures Pvt. Ltd. By which the Learned D R T, Patna has determined the Debt with cost against the petitioner and



has passed order that Bank is entitled to receive from the Defendants (petitioner) jointly and severally its Debt with interest amounting to Rs.6,15,67,529.50 as on 31-7-2018 together with pendente lite and future interest at the rate of 10 % per annum simple from 1-8-2018 till realisation of the entire sum due and recoverable with costs and also the defendants (the petitioner) were debarred from transferring, alienating, incumbering or otherwise dealing with or disposing of the mortgaged or hypothecated or any other properties and assets without paying the adjudicated dues to the Bank.

- (ii) For issuance of an appropriate writ directing and commanding the respondent Bank to give the petitioner all consequential benefits including payment of the left sanctioned due amount of Rs. 58,00,000/- and sanctioned Working Capital amount of Rs. 95,00,000.00/- to the petitioner after quashing of the aforesaid order dated 30-3-2019 (Anx.- 9) passed by the Learned D. R. T., Patna.
- (iii) For any other reliefs or reliefs of which the petitioner is legally entitled to.

After the matter was heard for some time, learned



counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to file appeal before the appropriate forum.

Prayer allowed.

Needless to add that the period for which the present petition is pending, shall be excluded for the purposes of limitation.

The present petition stands disposed of with the liberty aforesaid.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	17.12.2021
Transmission Date	

