

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6863 of 2020

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Phool Kumar Son of Sri Rameshwar Paswan Resident of Ward At and P.O.-
Mathurapar, P.S.- Warisnagar, District- Samastipur, (Guarantor).

... .. Petitioner/s

Versus

1. The Regional Manager Dakshin Bihar Gramin Bank Regional Office at Harpur Allouth Industrial Area Samastipur Bihar Pin Code 848101.
2. The Branch Manager Dakshin Bihar Gramin Bank Tajpur Road, Samastipur.
3. Sri Aadarsh Suman Son of Sri Lalit Mohan Poddar Proprietor of M/S Tuk-Tuk Mobile and Grease House Resident of Ward No. 6 Bhawani Nursing Home Road, Kashipur P.O.- Kashipur P.S.- Samastipur Town and District- Samastipur, Borrower.
4. Sri Mukesh Kumar @ Mukesh Kumar Bharti Son of Sri Lalit Mohan Poddar Resident of Ward No. 6, Kashipur P.O. Kashipur P.S. Samastipur District Samastipur one of the Guarantor.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratan Kumar Sinha
For the Respondent/s : Mr.Mahesh Narayan Parbat

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 19-03-2021 1. The present petition has been filed for staying the letter dated 15.05.2019 issued by the respondent-Bank, whereby and whereunder the possession of the land and house of the petitioner is being taken by the Bank.
2. At this juncture, the learned counsel for the petitioner submits that the petitioner be granted liberty to approach the Debt Recovery Tribunal, Patna for redressal of his grievance, inasmuch as he is ready and willing to pay the outstanding dues of the respondent- Bank.
3. Accordingly, the present writ petition stands



disposed of, however with liberty to the petitioner to approach the Debt Recovery Tribunal, Patna for redressal of his grievance and in case, an appropriate petition is filed within a period of four weeks from today, the same shall be decided on merits and in accordance with law, without being impeded by the issue of limitation. It is needless to state that for a period of four weeks from today, *status quo*, existing as on today *qua* the land and house of the petitioner in question, shall be maintained so as to enable the petitioner to approach the learned Debt Recovery Tribunal.

(Mohit Kumar Shah, J)

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