

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 13678 of 2021

1. M/s Shankar Enterprises, Village- Husanpur Surat, P.O. & P.S. Patory, District- Samastipur (Bihar, through its proprietor Uday Shankar @ Uday Shankar Choudhary.

2. Uday Shankar @ Uday Shankar Choudhary, aged about 60 years (male), son of Late Bishun Choudhary, Village- Husanpur Surat, P.O. & P.S. Patory, District- Samastipur (Bihar) (Proprietor of M/s Shankar Enterprises.

... .. Petitioner/s

Versus

1. The State Bank of India, Corporate Centre, Madam Kama Road, Mumbai (Maharashtra) through its Chairman.

2. The Chairman, State Bank of India, Corporate Centre, Madam Kama Road, Mumbai (Maharashtra).

3. The Assistant General Manager, State Bank of India, Stressed Assets Recovery Branch (SARB), 2nd Floor, Patna Main Branch Building, West of Gandhi Maidan, Patna (Bihar).

4. The Authorized Officer, State Bank of India, Stressed Assets Recovery Branch (SARB), 2nd Floor, Patna Main Branch Building, West of Gandhi Maidan, Patna (Bihar).

5. The Chief Manager, State Bank of India, SME Branch, Samastipur, District Samastipur (Bihar).

6. The Branch Manager, State Bank of India, Patory Branch, Samastipur, District Samastipur (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/

Jendra Narain, Sr. Adv.

Ju Narain, Adv.



For the Respondent- Bank: Mr. Sanjay Singh Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-08-2021 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

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

“For issuance of an appropriate writ/ writs, order/orders, direction/ directions commanding the respondents to restructure/ reschedule the NPA Over Draft loan account, vide No.35672775521, maintained at SME Branch, Samastipur, of the respondent Bank in the name of the petitioner No. 1 in accordance with the circular, vide No. RBI/2020-21/16 DOR No. BP. BC / 3/21. 04. 048 /2020-21 dated 06. 08. 2020 and RBI/ 2020-21/ 17DOR. No. BP.BC /4/21.04.048/ 2020-21 dated 06.08.2020, issued by the Reserve Bank of India by fixing the tenure of repayment and monthly installment afresh in the loan account.”

The Ld. Senior counsel for the petitioners, Shri Rajendra Narain, assisted by Ms. Anju Narain, seeks to withdraw the present writ petition with liberty to move the Debt Recovery Tribunal, Patna.

The learned counsel for the respondent Bank, Shri Sanjay



Singh Thakur has got no objection.

Accordingly, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to approach the learned Debt Recovery Tribunal for appropriate reliefs/ directions. It is needless to state that the petitioner shall be at liberty to raise all such issues as have been raised in the present writ petition, before the learned Debt Recovery Tribunal, Patna, which shall be considered objectively and in accordance with law.

(Mohit Kumar Shah, J)

Tiwary/-

