

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10013 of 2020

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Manish Kumar S/O Sri Akhilesh Kumar resident of Tripolia Pathri Ghat, P.S.-
Alamganj, District- Patna, Bihar.

... .. Petitioner/s

Versus

1. The Union Bank of India through Kewal Handa, Chairman and Part- Time Non Official Director, having their place of Seating at Union Bank Bhavan, 239, Vidhan Bhavan Marg, Nariman Point, Mumbai- 400021.
2. The Managing Director and CEO of Union Bank of India, through Rajkiran Rai G., having their place of Seating at Union Bank Bhavan, 239, Vidhan Bhavan Marg, Nariman Point, Mumbai- 400021.
3. The Executive Director of the Union Bank of India, through Gopal Singh Gusian, having their place of Seating at Union Bank Bhavan, 239, Vidhan Bhavan Marg, Nariman Point, Mumbai- 400021.
4. Madnesh Kumar Mishra, the Government Nominee Director of the Union Bank of India having their place of Seating at Union Bank Bhavan, 239, Vidhan Bhavan Marg, Nariman Point, Mumbai- 400021.
5. The Regional Manager, Patna Region- 2, Union Bank of India, First Floor, Aditya Arcade, Exhibition Road, P.S.- Gandhi Maidan, District- Patna.
6. The Chief Manager and Authorized Officer, erstwhile Andhra Bank now Union Bank of India, Patliputra Branch, at Ground Floor, Ramayan Plaza, Opposite Gumti No. 32, Rajapur Pul, P.S. Buddha Colony, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prabhakar Nath Rai, Advocate
For the Respondent/s	:	Mr. Anant Kumar Sharan, Advocate
		Mr. P.K.Sharan, Advocate
		Mr. H.K.Sharan, Advocate

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

Date : 22-11-2021



Petitioner has prayed for the following relief(s):-

- i. For issuance of Writ in the nature of mandamus directing the respondent authorities to confirm the auction sale of the property ID: ANDB041800004 mortgaged before erstwhile Andhra Bank now Union Bank of India situated at ward No. 18 / 24 /41 circle No. 68, Plot No. 254, Holding No. 59/62/95/96 Resident of -Tripoliya, Shershah Road P.S - Alamganj, District- Patna in favour of the petitioner.
- ii. For direction to the respondent authorities to issue sale certificate in favour of the petitioner for the property in question.
- iii. For any other relief or reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

Undisputedly, in terms of order dated 30.04.2020 passed by this Court in CWJC No. 5633 of 2020, titled as **In Re: Functioning of Courts in Bihar during the period of COVID-19, PANDEMIC (Corona Virus). Versus The State of Bihar & Ors.**, the auction stands cancelled. It is also not in dispute that the auction was not confirmed prior thereto. As such, no relief can be granted to the petitioner, as prayed.

The petition stands disposed of clarifying that whatever money stands deposited by the auction purchaser, the same shall be refunded within a period of four weeks from today, failing which, petitioner shall be entitled to interest at the



banking rate to be personally recovered from the salary of the Bank Manager.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	23.11.2021
Transmission Date	

