

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14337 of 2021

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1. Sanjay Printing Works, through its Partner Nawin Chandra Jaiswal, Son of late (Dr.) Mathura Prasad Jaiswal, resident of mohalla - Rai Jai Krishna Road, Gurhatta, Police Station- Khajekalan, Patna City, District- Patna 800008.
 2. Sanjay Kumar, son of Late (Dr.) Mathura Prasad Jaiswal, resident of mohalla - Rai Jai Krishna Road, Gurhatta, Police Station- Khajekalan, Patna City, District- Patna- 800008.

... .. Petitioner/s

Versus

1. Presiding Officer, Debts Recovery Tribunal, 5th Floor, Karpuri Thakur Bhawan, Kendriya Karmchari Parisar (GPOA), Near - Rajiv Nagar Thana, Ashiana - Digha Road, P.O. - Rajiv Nagar, P.S. - Rajiv Nagar, Patna - 800025.
2. The Chairperson, Debts Recovery Appellate Tribunal, 147-A- 58/1, Jawaharlal Nehru Road, Tagore Town, Allahabad.
3. The Branch Manager, Branch Office, Axis Bank, Patna City Branch, Patna- 800008.
4. Reserve Bank of India, South Gandhi Maidan, Police Station - Gandhi Maidan, Patna through its Manager.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Prasad, Advocate

For the Respondent/s : Mr. Kaushal Kumar Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-12-2021

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

- (i) Quashing the order passed by the Presiding Officer, Debts Recovery Tribunal, Patna (Respondent No.1) dated 05.05.2016 passed in O.A.No.258 of 2015 as well as Order dated 09.07.2017 & 12.07.2021 passed by the Chairperson, Debts Recovery Appellate Tribunal, Allahabad (Respondent No.2) in Appeal Sr. No.64/2017 which is contained in Annexure-1 and 2 respectively to this writ application.
- (ii) Pass such other order/orders as your Lordships may deem fit and proper in the facts and circumstances of this case.

Learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to prefer an appeal before the forum provided under a special statute.

Permission granted.

If the petitioner were to prefer an appeal within a period of four weeks, we are sure that the issue of limitation shall not come in the way of the petitioner in pursuing the matter on merits.

We have not expressed any opinion on merits. All



issues are left open.

The instant petition stands disposed of in the
aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	17.12.2021
Transmission Date	

