

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14524 of 2021

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1. Ashok Kumar Puri Son of Late Sharda Nandan Puri Resident of near Chouraha, Bankipur Gorakh, P.S.- Fatwan, District- Patna.
 2. Vinay Kumar Puri Son of Late Sharda Nandan Puri Resident of near Chouraha, Bankipur Gorakh, P.S.- Fatwan, District- Patna.

... .. Petitioner/s

Versus

1. Punjab National Bank, Circle Office Patna South through its Authorizes Authority, 2nd Floor, Chandrapura Palace, West Gandhi Maidan, P.S.- Gandhi Maidan, Patna.
2. The Branch Manager, Punjab National Bank, Kankarbagh Branch, P.S.- Kankarbagh, District- Patna.
3. The State of Bihar through the District Magistrate, Patna, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Niraj Kumar, Advocate
For the Bank	:	Mr. Kumar Priya Ranjan, Advocate
For the Respondent/s	:	Mr.Anil Kr. Singh (Gp26)

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 following reliefs:-

(I) For issuance of writ in nature of certiorari or in like nature to set aside the auction with respect to item No.-4 contained in Auction Notice dated 23/07/2021 issued by the respondent no.1 and the same has published in Hindi Hindustan News Paper dated 25/07/2021.

(ii) For issuance of writ in nature of prohibition or in like nature prohibiting the respondent no.1 and 2 not to auction the property mentioned in item No.4 of the said notice dated 23/07/2021 till the disposal of Title Suit No.105 / 2017 filed by the petitioners with respect to item No.4 contained in Auction Notice dated 23/07/2021, which suit is pending before the learned Sub Judge-1, Civil Court, Patna City.

(iii) For directing the respondent, the District

Magistrate, Patna, not to take any action to dispossess the petitioner from the property mentioned at Item No.4 of the said Notice dated 23/07/2021.”

Dr. K. N. Singh, learned Additional Solicitor General, invites our attention to the notification dated 13th of December, 2021, whereby Presiding Officer, Debt Recovery Tribunal, Ranchi has been given charge of Debt Recovery Tribunal, Patna and now the Tribunal is functional.

In this view of the matter, petitioners state that they shall immediately move an appropriate application before the Tribunal.

We direct status quo to be maintained for two weeks by the parties. Thereafter, interim order shall stand automatically vacated.

With aforesaid observation, the writ petition stands disposed of.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.12.2021

Transmission Date	NA
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