

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18442 of 2021

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Rama Singh, wife of Sri Bhuwaneshwar Singh, resident of Mohalla- 4/37,
Bahadurpur Housing Colony, Bhootnath Road, Patna- 800026.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Finance, Secretariat, Patna.
2. The Sub- Divisional Magistrate, Patna Sadar, Patna.
3. The Registrar, Debts Recovery Tribunal, 2nd Floor, Karpuri Thakur Sadan, Kendriya Karamchari Parisar (GPOA), Ashiana- Digha Road, Patna- 800025.
4. Union Bank of India, Doctors Colony, Malahi Pakari Chowk, Lohiyanagar, Kankarbagh, Patna, PIN 800020.
5. Zonal Manager, Zonal Office, Corporation Bank (now Union Bank of India), Abha Bhawan, Frazer Road, Patna- 800001.
6. Dr. Sunil Kumar Singh, son of Sri Bhuwaneshwar Singh, resident of Mohalla- Sunilam Hospital Private Limited, New Judges Kothi, Mahatma Gandhi Nagar, Ara, PIN Code 802301, Director M/s Sunilam Hospital Private Limited.
7. Dr. Neelam Verma, wife of Dr. Sunil Kumar Singh, resident of Neil Hospital, Charitraban Buxar, PIN Code No.802101, Director M/s Sunilam Hospital Private Limited.
8. Ms. Rahat Jahan, wife of Md. Ali Asraf, resident of Quatubuddin Lane, Dressco House, Dariapaur, Arya Kumar Road, Patna, Bihar- 800004 (who is purchaser of the property)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Prasad, Advocate
For the Respondent/s : Mr.Anil Kr. Singh, G.P.-26

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 17-12-2021 This writ application has been filed for quashing of an

order dated 11.10.2021, issued by the Sub-divisional Officer,

Sadar, Patna for deputation of Magistrate and police force on



18.10.2021 to ensure maintenance of peace and public order in connection with taking over possession of petitioner's residential house, which is subject-matter of a proceeding under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short "the Act"). The date for deputation i.e. 18.10.2021 has already crossed.

Learned counsel for the petitioner has submitted that there is no provision under the Act authorizing the Sub-divisional Officer to depute police force for taking over possession under the Act.

We are of the view, however, that the said order has been issued for the purpose of maintaining peace and public order. The said order, in our view, does not require interference in the present proceeding.

This application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

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