

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3 of 2022

In
Civil Writ Jurisdiction Case No.253 of 2021

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Dr. Kapil Deo Singh Son of Late Durgi Singh Resident of H.I.G.-47,
Chanakyapuri Colony, District-Gaya, Bihar, Pin-823001, Managing Director,
M/S Bundel Financing and Manufacturing Pvt. Ltd.

... .. Petitioner/s

Versus

1. The Union of India, through the Principal Secretary, Ministry of Finance,
Government of India, New Delhi.
2. The Branch Manager, Union Bank of India, Balaji Complex, K.P. Road,
Near Kiran Cinema, Gaya.
3. The Authorised Officer, Union Bank of India, Nasheman Bhawan, Mazahrul
Haque Path, Fraser Road, Patna.
4. The Regional Manager, Regional Office, Union Bank of India, Nasheman
Bhawan, Mazahrul Haque Path, Fraser Road, Patna,
5. The Deputy General Manager, Union Bank of India, Nasheman Bhawan,
Mazahrul Haque Path, Fraser Road, Patna.
6. The General Manager, 239, Union Bank of India, Union Bank Bhawan,
Vidhan Bhavan Marg, Nariman Point, Mumbai.
7. The District Officer, Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Mohan, Advocate
For the Opposite Party/s	:	Mr. Alok Ranjan (AC to AAG 5)
For Bank	:	Mr. Kumar Alok, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-06-2022 It appears that two writ petitions; one bearing

C.W.J.C. no. 253 of 2021 and the other bearing C.W.J.C. no.

7515 of 2021 were filed on behalf of the petitioner herein,

however in the prayer portion of the writ petition bearing

C.W.J.C. no. 7515 of 2021, it had been stated that the loan was

taken by the wife of the petitioner namely Manju Singh,



Director and Proprietor of Durga Agro Industry, wherein the petitioner was a Guarantor, however in the present matter pertaining to C.W.J.C. no. 253 of 2021, the name of the firm, though ought to have been Bundel Financing and Manufacturing Private Limited but it appears that on account of inadvertence, the Registry had downloaded copies of one of the writ petition and placed the same, both in C.W.J.C. no. 253 of 2021 as also in C.W.J.C. no. 7515 of 2021, resulting in discrepancy in the prayer portion quoted in the order dated 15.09.2021, passed in C.W.J.C. no. 252 of 202. Under such circumstances, the present modification petition has been filed for correcting the prayer portion reproduced in the order dated 15.09.2021, passed in C.W.J.C. no. 253 of 2021.

In such view of the matter, it is clarified that the relief sought for in the connected writ petition i.e. C.W.J.C. no. 253 of 2021 shall read as follows :-

“(i) For issuance of appropriate writ/writs/ direction/ directions/ order/ orders commanding the respondents to allow 12 months further time to the petitioner to repay due amount of Loan, taken under the CGTPS Scheme, taken by his Late wife Late Manju Singh in her A/c no. 300405010001686 and A/c no. 300406130025058 of respondent no.



2 Union Bank of India, Gaya in her firm name 'Bundel Financing & Manufacturing Pvt. Ltd.' The due amount of bank against the petitioner relating to A/c no. 300405010001686 is Rs. 49,94583.00/- and that of A/c no. 300406130025058 is Rs. 9,75,188/- which are also NPA amount as per bank statement dated 28.05.2018 & 30.06.2018 respectively (Total due amount Rs. 5969771.73). So prayer is also made to command the respondents to lessen this due amount by exempting fines and interests under OTS Scheme.

(ii) For issuance of appropriate writ/ writs/ direction / directions/ order/ orders commanding the respondents to do not take any coercive or adverse or SARFAESI action against the petitioner till 12 months, in view of problem created due to Covid-19 and prayer is also made to command the respondents to exempt the interests and fines also."

Accordingly, the time granted to the petitioner to approach the respondent no. 3 for the purposes of filing appropriate representation is extended by a further period of four weeks from today and the respondent no. 3 i.e. the Authorised Officer, Union Bank of India, Nasheman Bhavan,



Majhrul Haque Path, Frazer Road, Patna is directed to take appropriate decision in accordance with law. Rest of the order dated 15.09.2021 shall remain the same.

The petition stands disposed off with the aforesaid modification in the order dated 15.09.2021, passed in C.W.J.C. no. 253 of 2021.

(Mohit Kumar Shah, J)

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