

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11610 of 2018

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Sunil Kumar son of Kamla Prasad resident of Village Purani Bazar, Ward No
4, P.O. Maharajganj, District Siwan.

... .. Petitioner/s

Versus

1. The Chairman, Bank Of Baroda, Baroda House, Mandvi, Vadodara (Gujarat)
2. The Zonal Manager, Bank of Baroda, Muzaffarpur.
3. The Regional Manager, Bank of Baroda, 2nd Floor, Krishna Honda
Building, Akharaghat Road, Muzaffarp
4. The Chief Manager, Bank of Baroda, Rajendra Path, Chapra - Siwan Main
Road, Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. S D Sanjay, Sr. Advocate
		Mr. Rajiv Ranjan, Advocate
For the Respondent/s	:	Mr. Satish Kumar Singh
		Mr. Vivek Prasad, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-10-2022

The petitioner has prayed for the following relief/s

:-

“(i) For setting aside the Demand Notice
dated 25.01.2016 issued under the signature of



Authorised Officer, the Chief Manager, Bank of Baroda, Siwan demanding outstanding due amount of Rs. 13,88,412/- from the petitioner.

(ii) For setting aside the possession notice dated 03.02.2018 under the Reconstruction of Financial Assets and Enforcement of Security Interest Act and Rules for outstanding due amount of Rs. 13,88,412/- as on 21.01.2016 to redeem the secured assets situated at Village Pasnauli, P.S: Maharajganj, District: Siwan having Thana No. 581, Tauzi No. 1381 Khata No. 261 Khesra No. 1627 area 7 katha alongwith the properties of guarantors of the borrower (petitioner).

(iii) For quashing the entire proceeding initiated under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (For short SARFAESI Act) against the petitioner.

(iv) For any other relief/reliefs for which petitioner is found entitled to in the facts and circumstances of the case.”

In view of the fact that Debts Recovery Tribunal is now functional, learned senior counsel for the petitioner, under instructions, seeks permission to withdraw the present petition with liberty to approach the competent authority under the Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 within a period of four weeks from today.

Permission granted.



As and when any such request is made by the petitioner before the Tribunal or the respondent-bank, the same shall be considered and decided expeditiously.

The petition stands disposed of as withdrawn with the liberty aforesaid.

Interlocutory application(s), if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	20/10-2022
Transmission Date	

