

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 823 of 2022**

=====

Ananya Agrotech Private Limited having its Registered Office at R-5 Chandi Vyapar Bhawan, Exhibition Road, Patna- 1, through Its Director Arvind Kumar Choubey, aged about 48 Years, male, S/o Sri Basisth Muni Choubey, R/o H- 2, Grand Pallavi Apartment J.C. Road, Patna.

... .. Petitioner/s

Versus

1. The State Bank of India having its Corporate Office at Madame Cama Road, Mumbai and one of its Stressed Assets Management Regional Office (SAMRO) at Kolkata and from amongst Several Stressed Assets Management Branches (SAMBs) one such branch at 5th Floor, State Bank of India, Zonal Office Building, Judge's Court Road, Patna- 1 represented through its Chief Manager.
2. The Chief Manager, State Bank of India, Stressed Assets Management Branch (SAMB), 5th Floor, Zonal Office Building, J.C. Road, Patna.
3. The Recovery Officer, Debts Recovery Tribunal, A, B and F Wings, 2nd Floor, Karpuri Thakur Bhawan, Ashiana- Digha Road, Near Rajeev Nagar Police Station, Patna- 25.

... .. Respondent/s

=====

**Appearance :**

For the Petitioner/s : Ms. Vagisha Pragya Vacaknavi, Advocate  
For the Respondent/s : Mr. Sanjay Singh Thakur, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA**

**and**

**HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)**

**Date : 02-02-2022**

The matter has been heard *via* video conferencing.

Heard learned counsel for the parties.

The petitioner has sought writ in the nature of certiorari for quashing of the public auction notice/ e-auction sale notice which is now scheduled to be held on 04.02.2022. His grievance is that since the DRT is not functioning, he has no option but to



invoke the writ jurisdiction of this Court. Mr. K N Singh, learned  
ASG, who is present on the VC, has brought to our notice that  
DRT are likely to be made functional soon in view of the fact that  
search committee constituted by the Hon’ble Supreme Court has  
already made its recommendation and further progress is expected  
soon.

Under the circumstances, we feel that the petitioner  
should avail the remedy available to him under the statutory  
provisions. As regard the auction to be held on 4<sup>th</sup> February, 2022  
under the RDB Act, the same may go on but will not be finalized  
till the appropriate forum i.e. DRT, Patna starts functioning.

The writ petition stands disposed off.

**(Rajan Gupta, J)**

**(Mohit Kumar Shah, J)**

P. Kumar/Anand Kr.

|                   |  |
|-------------------|--|
| AFR/NAFR          |  |
| CAV DATE          |  |
| Uploading Date    |  |
| Transmission Date |  |

