

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4242 of 2021

Vivashwan Educational and Welfare Society Litera Valley Campuws, Naya Tola, Bhagwat Nagar, Kumhrar, Patna, through its Secretary, namely Amit Prakash @ Manish Kumar, male, aged about 47 years, son of Ram Niwas Singh, Resident of A-9, P.C. Colony, P.s. Kankarbagh, Patna.

... .. Petitioner/s

Versus

1. The State Bank of India through Assistant General Manager, SARB, 2nd Floor, Patna Main Branch Building, Patna.
2. The Assistant General Manager, SARB, 2nd Floor, Patna Main Branch Building, Patna.
3. The Authorized Officer-cum-Chief Manager SARB, 2nd Floor, Patna Main Branch Building, Patna.
4. The Collector, Patna.
5. The Senior Superintendent of Police, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. J.S. Arora, Sr. Advocate Mr. Manoj Kumar, Advocate Mr. Ravi Bhatia, Advocate
For the Bank		Mrs. Namrata Mishra, Advocate Ms. Archana Jha, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, AAG-10 Mr. Chhote Lal Mishra, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

4 15-02-2022 Petitioner has prayed for following relief(s) :-

(i) For directing the respondent 1st set to refund back the entire amount received from the petitioner towards sale of the property under the provisions of SARFAESI Act to the petitioner, detailed in paragraph no.8



hereunder, amounting to Rs.3,08,00,000/- (Rupees Three Crore Eight Lacs Only) with interest thereon at the rate of 12 % per annum w.e.f. the date of deposit till the date of payment, as they have failed in delivery of possession of the said property to the petitioner, in spite of sale and receipt of full consideration money long back and in spite of direction of this Hon'ble High Court to carry out the same.

(ii) Also for any other appropriate relief(s) to which the petitioner is found entitled either in the eye of law or in the facts and circumstances of the case.”

Learned counsel for the petitioner states that, in view of the intervening developments, the present petition has become infructuous, inasmuch as the possession of the premises in question stands handed over to the petitioner.

In view of the statement made by the learned counsel for the petitioner, petition is disposed of as having become infructuous.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

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