

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1444 of 2022

=====

Shashikanta Kumar Son of Jay Jay Ram Pandit, At Mohalla - Ward no. 12
Near Kali Mandir Baghra Purani Madhepura, P.S.- Puraini Bazar, District -
Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Home Commissioner, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Secretary, Department of Transport Government of Bihar Patna.
5. The Chief Manager, Reserve Bank of India, South Gandhi Maidan, Patna.
6. Superintendent of Police, Madhepura.
7. Branch Manager, Tatar Motor Finance Solutions Limited Registered Office
10th Floor 106 A and B maker chamber iii, Nariman, Mumbai 400021.
8. Branch Manager Tata Motor Finance Solutions Limited at 1st Floor Manju
Complex Bhata Bazar Purnia - 854301.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
For the Respondent/s : Mr. Ajay Kr. Rastogi, AAG-10

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 07-03-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-



1. That this is an application for direction to the Respondent authorities the Respondent No. 2 to 6 to see that the Respondent no.8 the Tata Finance Company do not seize the vehicle of petitioner through goons on road as well direction to Respondent no. 2 to 6, the authorities relating to transport business and Bank, the controlling authorities of financial institutions to see that the financial institutions not to seize the financed vehicle from the Owner of vehicle without any proper order of court or Debt Recovery Tribunal as held by our own High Court reported in BLJ 2020 Page -96 in the case of Sujay Kumar versus UCO Bank Limited, following the ruling of Supreme Court in the case of Shanti Sharma versus ICICI Bank Limited, as well as further direction to the Respondent No. 8 the Branch Manager Tata Finance not to seize the vehicle of petitioner through goons by illegal means and using force.

After the matter was heard for some time, finding the Bench not to be in favour with the submissions made across the Bar, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such remedies as are otherwise available in accordance with law as also, should the need so arise, approach this Court by filing a proper petition.

Liberty, as prayed for, granted.

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



Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	09.03.2022
Transmission Date	

