

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2345 of 2022

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M/s Bhojpur Laghu Udyog Giddha, through its proprietor Ajay Kumar Singh, aged about 52 years, (male) Son of Sri Kameshwar Singh, Resident of Mohalla - Jagdev Nagar, Anaith Ara, P.S. - Ara, Nawada, District - Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India, through the Secretary, Ministry of Finance, Government of India.
2. The State of Bihar, through the Special Secretary, Department of Industry, Vikash Bhawan, Government of Bihar.
3. The Managing Director, Bihar Industrial Area Development Authority (BIADA), Patna.
4. The Recovery Officer, Debt Recovery Tribunal, Patna.
5. The Chief Manager, SARB, 2nd Floor, Patna S.B.I. Main Branch Building, West Gandhi Maidan, Patna.
6. The Regional Manager, S.B.I. (Commercial Office) 2nd Floor, Hari Jee Ka Hata, Near Harkhen Kumar Eye Hospital, Ara.
7. Shyam Shankar Prasad Singh, Son of Ramesh Prasad Singh, Resident of Tetariya Khurd, Tola Tetaria, P.O. - Barachatti, District - Gaya - 824201.
8. Balram Kumar, Son of Ram Narayan Lal Khatri, Resident of Bidupur Bazar, District - Vaishali - 844503.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Ojha, Advocate
For the Respondent/s	:	Dr. K. N. Singh, ASG
		Mr. Subhash Prasad Singh, GA-3

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

Date : 25-04-2022

Heard learned counsel for the parties.

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



- (i) For issuance of writ in the nature of mandamus or any other appropriate writ(s), order(s) or direction(s) to respondent to restrain from interfering and disturbing the business of petitioner.
- (ii) For issuance of appropriate writ, order or directions to the respondent after setting aside the ex-parte order dated 01.10.2021 passed in R.P. No. 570 of 2017 and all subsequent orders passed by Recovery Officer, Debt Recovery Tribunal, Patna.
- (iii) For issuance of any other appropriate writ, order or direction for which the petitioner is entitled to.

Shri Subhash Prasad Singh, learned counsel for the State, states that at this point in time Debt Recovery Tribunal is fully functional and operational. So also, the Debt Recovery Appellate Tribunal.

Learned counsel for the petitioner submits that petitioner shall approach the appropriate authority. He further prays that a direction for expeditious disposal of the petitioner's application, which the petitioner shall be filing,



be issued.

Under these circumstances, we dispose of the present petition with a request to the Debt Recovery Tribunal/ Debt Recovery Appellate Tribunal to positively decide the petitioner’s application expeditiously and preferably within a period of four weeks thereafter.

We are passing such order considering the fact that all the parties are duly represented and the petitioner is ready and willing to pay all the dues to the respondent Bank.

We trust that the order shall be complied with.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	28.04.2022
Transmission Date	

