

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2654 of 2022

Surendra Kumar Gami, Son of Sri Bhagat Gami, Resident of Mirzapur,
Near Andhra Bank, P.O. - Lalbagh, P.S. - Darbhanga Town, District -
Darbhanga.

... .. Petitioner/s

Versus

1. The Punjab National Bank, through its Zonal Manager, Bihar, R-Block, Chanakya Tower, Chankya Place, Town and District - Patna.
2. The District Magistrate - Cum - District Collector, Darbhanga.
3. The Branch Manager, Punjab National Bank (erstwhile Oriental Bank of Commerce), Singh Complex, Near R. Benta Road, Darbhanga, P.O., P.S. and District - Darbhanga.
4. The Authorized Officer, Punjab National Bank (erstwhile Oriental Bank of Commerce) Singh Complex, Near R. Benta Road, Darbhanga, P.O., P.S. and District - Darbhanga.

... .. Respondent/s

Appearance :

For the Petitioner/s :	Mr.Bipin Bihari Singh, Advocate
For the Respondent/s:	Mr.Ajay Kumar Rastogi (AAG- 10)
	Mr. Kumar Priya Ranjan, Advocate
	Mr. Manish Kishore, Advocates
	Mr. Bal Bhushan Choudhary, 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.)

3 22-07-2022

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

That, the present petition is for setting aside the Sale Notice for sale of immovable properties dated 05.02.2019 under authority of Authorized Officer, Punjab National Bank (erstwhile Oriental



Bank of Commerce) against recovery of amount from Sri Ram Marble House of Rs. 19,46,115/- (Rupees Nineteen Lakh Forty Six Thousand one Hundred Fifteen) only plus applicable interest charges thereon from date of NPA due to Bank in question, the secured creditor from borrower i.e. petitioner without appreciation of factual and legal aspects accrued in his favor and consequential order if any, on point of nullity, non-consideration and misinterpretation of law as well as the further prayer is for quashing the order passed by the District Magistrate-cum-District Collector, Darbhanga in SARFAESI Case No. 233 of 2018 Authorized Officer, Oriental Bank of Commerce, Darbhanga Versus Surendra Kumar Gami (petitioner) on 19.02.2020 regarding acceptance of case and direction for the transfer of physical possession in favor of Bank in absence of the consideration of statutory provisions enacted and acted upon and law interpreted by Temple of Justices time without number terminating the judicial proceeding holding the basic requirement of entertainment of such petition and exercise of power completing/ crossing the restriction and judging it to



prevent for safeguarding the interest of borrower from the Bank
and for other necessary relief/ relief's to the basis of facts and
circumstances of the case as stated, enumerated and discussed
hereinafter.

Learned counsel for the petitioner seeks permission to
withdraw the present petition.

Permission granted.

The present petition stands disposed of as withdrawn.

(Sanjay Karol, CJ)

(S. Kumar, J)

P.K.P./Amrendra

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