

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3103 of 2022

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Ajay Kumar, Son of Laldhari Singh, Resident of Village - Amahara, P.S. - Bihta, District - Patna, Pin Code - 801118.

... .. Petitioner/s

Versus

1. The Authorized Officer, Punjab National Bank, Zonal Sastra Centre, DC 18, Akanksha Enclave, Lohia Nagar, Kankarbagh, Pin Code - 800020.
2. The Punjab National Bank, through the Branch Manager, Bihta Branch, Patna.
3. M/s Radha Krishna Hitech Agro Industries Private Limited, through its Managing Director/Director, having its registered office - Shop No. 8 and 9 Harivansh Parwati Complex, Jamal Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amaresh Kumar Sinha, Advocate
For the Respondent/s : Mr.Kumar Priya Ranjan, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-04-2022 Petitioner has prayed for the following relief(s):-

i) For the issuance of a writ in the nature of certiorari or any other appropriate writ or order or direction, quashing the sale notice dated 27.01.2022, published in the daily Hindi newspaper Danik Jagaran on 28.01.2022, whereby the sale of the secured assets mentioned therein shall be made through e-auction on 28.02.2022.

(ii) For the issuance of a writ in the nature of writ of mandamus or any other appropriate writ order or direction,



commanding the respondent bank to sell the moveable assets, as mentioned the sale notice dated 27.01.2022, to the petitioner himself at the reserve price specified in the said notice.

(iii) For further holding and declaring that the right to take recourse to a legal or statutory remedy is the constitutional right of the petitioner, which could not be exercised due to the vacancy of the post of the Presiding Officer, Debts Recovery Tribunal, Patna.

iv) For any other relief to which the Petitioner may be found entitled.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with



the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

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