

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3064 of 2022

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Sangeeta Srivastava @ Sangeeta Shrivastavi Wife of Late Ajit Kumar
Resident of Mannat, Patel Nagar Road NO.2, Police Station-Shastri Nagar,
District-Patna.

... .. Petitioner/s

Versus

1. Bank of India through its Chairman Cum Managing Director, Star House C-5, G Block Bandra Kurla Complex, Bandra (East), Mumbai-400051.
2. Authorizing Officer, Bank of India, Zonal Office, R-Block Chauraha, Patna, Bihar-800001.
3. Chief Manager, Bank of India, Jamal Road Branch, Patna.
4. Central Bank of India, Muradpur Branch, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate
For the Respondent/s : Mr.Raj Nandan Prasad, Advocate

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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) To quash the demand notice as it has been issued against a dead person and thus all subsequent proceeding thereto is a nullity
- ii) To quash the possession notice dated 29.01.2022 published in Dainik Bhaskar dated

03.02.2022 issued in exercise of power conferred under section 13(4) of the SARFAESI Act, by the Authorized Officer of the respondent bank as the measure taken by the secured creditor is not in accordance with the mandatory provisions of the Act and Rules and thus is arbitrary, illegal and unsustainable.

It is brought to our notice that parties have arrived at an out of Courts settlement, and petitioner is ready to pay the amount in terms of the settlement within a period of three months.

As such, the present petition has become infructuous.

As prayed for, the instant petition stands disposed of with an observation that should there be any need to alter the terms of the agreement, in terms of the period within which the amount is to be repaid, it is always open for the petitioner to approach the bank, which we are sure, the bank would consider favourably.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	