

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20316 of 2018

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Md. Zeeshan Abrar Son of Md. Abrar, At-Sheraj Market, Dr. Wazir Ali Road,
Dhamitola, Gaya, Bihar.

... .. Petitioner/s

Versus

1. Bank of Baroda, Bihar Regional Office, through the Assistant General Manager, Anand Vilar, West Boring Canal Road, Patna- 800001
2. Chief Manager, Bank of Baroda, Manpur Branch, District-Gaya, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Singh, Advocate Mr. Ramji Prasad Singh, Advocate Mr. Brajesh Ranjan, Advocate Mr. Vishal Saurabh, Advocate
For the Respondent/s	:	Mr. Vivek 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 : 30-08-2022

Heard learned counsel for the parties.

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

“For issuance of a writ of mandamus to quash and cancel the notice dated 21.7.2018 issued by Bank of Baroda, Manpur Branch, Gaya, District- Gaya, Bihar U/s 13(2) of Securitization and Financial Reconstruction of Financial Assets and Enforcement of Security Interest Act. (SARFAESI Act) 2002, and further



be pleased to restrain the respondents authority not to put up on auction sale of petitioner's immovable property under residential land P.S. No. 320, Khata No. 18 (New), Plot No. 47 (New), Area 680 Sq.ft. registered in the Sub-Registrar Office, Gaya.”

In view of the fact that Debts Recovery Tribunal is now functional, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The petition stands disposed of as withdrawn with the liberty aforesaid.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	31.08.2022
Transmission Date	

