

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3338 of 2022

=====

Santosh Kumar Das @ Santosh Kumar S/o Late Mahendra Das, R/o Anandpur, Ward No.-26 Suhird Nagar, P.S.-Muffasil, District-Begusarai-851218.

... .. Petitioner/s

Versus

1. The UCO Bank through its Managing Director, Patna-9.
2. The Zonal Manager, UCO Bank, Begusarai.
3. The Regional Manager, UCO Bank, Begusarai.
4. The Authorized Officer cum Chief Manager UCO Bank, Main Branch, Begusarai.
5. The Collector-cum-District Magistrate, Begusarai.
6. In-charge District Legal Cell, Begusarai.
7. Sub-Divisional Officer, Begusarai.
8. The Executive Magistrate, In-charge District Legal Cell,
9. Sub-Divisional Police Officer, Begusarai.
10. Sub-Divisional Nazir, Sadar, Begusarai.
11. Vinod Kumar Das, son of Late Mahendra Das, Resident of Anandpur, Ward No. -26 Suhird Nagar, P.S. Muffasil (Begusarai), District - Begusarai, at present where about is not known to the petitioner.
12. Smt. Kiran Devi, wife of Raj Kumar Das, Resident of Anandpur, Ward No. -26 Suhird Nagar, P.S. Muffasil (Begusarai), District-Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
For the Respondent/s	:	Ms. Anuradha Singh (Sc21)
		Ms. Sheela Sharma, Advocate
		Mr. Shivendra Kr. Ray, Advocate

=====

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

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 02-03-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

“For issuance of an appropriate writ(s)/order(s) or direction and thereby to issue a writ 'Certiorari' to quash the order dated 10/02/2022 issued by the learned Executive Magistrate Begusarai forthwith, and further for a direction for grant of Status- Quo till further order, by which the petitioner has been informed that as per letter No. 65 , dated 10/02/2022 issued by Sr. Deputy Collector District legal Cell Begusarai, under the provisions of SARFAESI (Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest) Act, 2002 by which Executive Magistrate, Sub-Division Begusarai had been appointed by the learned District Magistrate, Begusarai for delivery of physical possession of the property "M/s Santosh Sari Redimade Sangam" as per SARFAESI Act, 2002, has been fixed for which the petitioner has been informed.

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 will be content if the petitioner is permitted to withdraw the present petition, with liberty to take recourse to such other remedies as are otherwise available in accordance with law.

Prayer allowed.

It stands clarified that we have not expressed any

opinion on merits and all issues are left open.

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)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.03.2022
Transmission Date	NA