

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4177 of 2022

M/s Arun Enterprises, Through its Proprietor Sri Arun Kumar Jha (male) aged about 40 years, son of Dinesh Chndra Jha, Resident of Pandit Chowk, Susta Madhopur, P.S. Distt. - Muzaffarpur, Bihar - 842002.

... .. Petitioner/s

Versus

1. The Union of India, Through the Secretary, Department of Financial Services, Ministry of Finance, New Delhi.
2. Canara Bank (Converted from Syndicate Bank), Lav Kush Tower, Exhibition Road, Patna - 800001.
3. The Branch Manager, Canara Bank, Ramdaluh Branch, Muzaffarpur.
4. Authorised Officer, Canara bank, Ramdaluh Branch, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Prasad, Advocate
For the UOI	:	Dr. K.N. Singh, ASG
For Canara Bank	:	Mr. Jiendra Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 05-05-2022

Petitioner has prayed for the following relief(s):

“(i) For quashing the possession notice dated 29.01.2022 issued by the respondent no. 4 under section 13(4) of the SARFAESI Act whereas raised a demand of Rs.27,63,829/- to be paid within sixty days from the date of receiving of this notice dated 29.01.2022.

(ii) For issuance of a direction to the respondent authority to dispose of the representation file under Section 13(3A) of the SARFAESI Act by the petitioner on dated 22.07.2021 before the respondent authority.

(iii) For issuance of a direction to the respondent authorities not to take any coercive steps against the petitioner arising out of impugned proceeding under the SARFAESI Act during the pendency of this writ application.

(iv) For any other relief/reliefs as your



Lordships may deem fit and proper in the interest of justice.”

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 with liberty to take recourse to such other appropriate remedies, as are otherwise available, in accordance with law.

Permission granted.

As and when any such request is made by the petitioner before the Tribunal, the same shall be considered and decided expeditiously.

The petition stands disposed of as withdrawn with the liberty aforesaid.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