

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5360 of 2022**

Vishnu Shankar Son of Shri Ajay Kumar Sharma Permanent Address - Village - Dhanchhuhan, Police Station - Sahar (Chouri), District - Bhojpur at Arrah, Presently resident of Mohalla - Jawahar tola, East Nawada, Near Kali Mandir, North side of B.S. DAV Public School, Arrah, (Ara), Police Station - Nawada, Ara, District- Bhojpur at Ara (Bihar).

... .. Petitioner/s

Versus

1. The Union of India, Through Secretary, Banking Division, Ministry of Finance, Government of India, New Delhi.
2. The Managing Director and Chief Executive Officer, Punjab National bank, Corporate office, Plot No. 04, Sector - 10 Dwarika, New Delhi - 110075.
3. The Zonal Manager, Punjab National bank, 2nd Floor, Chanakya Tower, R-Block, Patna - 800001.
4. The Chief Manager, Punjab National Bank, Circle Office, Hotel Regal Complex, 3rd Floor, East Ramna Maidan, Arrah, District- Bhojpur, Pin Nol. 802301.
5. The Authorized Officer, Punjab National Bank Circle, Sastra, Circle Office, Ara, District- Bhojpur.

... .. Respondent/s

**Appearance :**

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|----------------------|---|---------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Nil Kamal, Advocate<br>Mrs. Kumari Priyanka, Advocate                       |
| For the Respondent/s | : | Dr. K.N. Singh, ASG<br>Mr. Kumar Priya Ranjan, Advocate<br>Mr. Pallav, Advocate |

**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL JUDGMENT**  
**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 19-05-2022**

Heard learned counsel for the parties.

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



- (i) For that direct to the Respondent No.01 to constitute a Special Enquiry Committee/Agency to enquire the Farzi loan sanctioned in the name of several persons after made a customer including the petitioner by the old Nationalized Bank Oriental Bank of Commerce, Branch-Ara, District-Bhojpur running period 2014-2015, merged into Respondent Punjab National Bank in the year 2020.
- (ii) For that issue a writ in the nature of certiorari to quash the impugned proclamation of sale letter of Respondent No.05 dated 07.01.2022 contained as Annexure-6 to this petition.
- (iii) For that direct to the Respondent Authorities to enquire the Assets, Business, property of petitioner and his share etc. and claim the amount which is actually retained by petitioner and easily capable to pay the fresh demand made by Respondent Bank.
- (iv) For that restrained to respondents to not taken any harass action against the petitioner and his family for saving their life and further stay the operation of impugned proclamation of sale notice contained as Annexure-6 to this petition.
- (v) For that any other relief or reliefs which may deem fit and proper.

After the matter was heard for some time, finding



the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that petitioner shall be content if the petitioner is permitted to withdraw the present petition reserving liberty to initiate appropriate proceedings before the appropriate forum, including Debt Recovery Appellate Tribunal and/or take recourse to such other alternative remedies, equally efficacious in law.

Permission granted.

We are sure that as and when any such proceedings are initiated, the same shall be considered and decided in accordance with law.

Needless to add, the authorities/adjudicative body shall pass a reasoned order in accordance with law.

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)

(Satyavrat Verma, J)

Amrendra/PKP

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