

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5323 of 2022

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Satish Kumar Singh Son of Late Rajiv Ranjan Bahadur Singh, Resident of
Village and Police Station- Rajpur, District - Rohtas.

... .. Petitioner/s

Versus

1. The Dakshin Bihar Gramin Bank through Regional Manager, Regional Office, Sasaram, Opposite Sale Tax Office, Sasaram, District - Rohtas, PIN Code - 821115.
2. The Regional Manager, Dakshin Bihar Gramin Bank, Regional Office, Sasaram, Opposite Sale Tax Office, Sasaram, District - Rohtas, PIN Code - 821115.
3. The Authorised Officer, Dakshin Bihar Gramin Bank, Regional Office, Sasaram, Opposite Sale Tax Office, Sasaram, District - Rohtas, PIN Code - 821115.
4. Thr Branch Manager, Dakshin Bihar Gramin Bank, Rajpur Branch, Police Station- Rajpur, District - Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate
Mr. Prabhat Kumar Dipak, Advocate

For the Respondent/s : Mr. Mahesh Narayan Parbat, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-05-2022

Heard learned counsel for the parties.

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

1. That present application is being filed for issuance of an appropriate writ or writs quashing the entire action taken by the respondents against the petitioner under the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short SARFAESI Act) including sale notice dated 22.2.2022 issued against the property



(details described in the sale notice) of the petitioner Under Section 13(4) of the SARFAESI Act without following the provisions of SARFAESI Act and Rules and further Respondents be directed to settle the dispute on the basis of settlement/ compromise for which petitioner is ready and willing to pay the dues in installment within reasonable time and or to grant any other relief or reliefs for which petitioner is legally entitled in the facts and circumstances of the case.

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 the 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 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

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

