

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5448 of 2022

=====

Dilip Kumar Singh Son of Kamala Singh Carrying on Business in the name and Style of M/s Bhagwati Enterprises, at N.H.28, Opposite DM Awas, Gopalganj-841428, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Finance, Government of Bihar, Patna.
2. Authorized Officer, The Federal Bank Ltd., Branch Gopalganj, (Near Ambedkar Chowk, Gopalganj, Bihar)
3. Sujeet Kumar, Income Tax Officer, Ward-2(2), Chhapra.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Raj, Advocate
For the Respondent/s : Mr. Ajay Kumar Rastogi (AAG-10)

=====

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):-

1. That this is an application for issuance of appropriate writ(s), order(s) direction(s) for quashing the possession notice dated 18.08.2021 (Annexure-1) issued by the respondent bank for taking possession of the property measuring 3.71 Decimal, with building constructed thereon, situated at Mouza- Marhoura Khurd, Thana No. 142, Khata No. 44, Plot No. 178, Subdivision: Saran, Dist- Saran, Pin code 841418, Bihar.



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The petition stands disposed of as withdrawn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	
Transmission Date	

