

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5550 of 2022

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Mala Singh Wife of Satyadev Kumar Nawan, Ward no.-06, Sorampur, P.O.-
Sorampur, P.S.-Janipur, Patna, Bihar-801505.

... .. Petitioner/s

Versus

1. The Debts Recovery Tribunal, Patna, 2nd Floor, A,B and F Wing, Karpuri Thakur Sadan, Ashiana-Digha Road, Patna-800025.
2. The Union of India, through Secretary-Finance, Department of Banking, New Delhi, India.
3. The Branch Manager, Punjab National Bank, Phulwari Branch, Patna-801505

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sanjesh Prasad, Advocate

For the Respondent/s : Mr. Additional Solicitor General
Mr. Arvind Kumar, Advocate
Mr. Kumar Priya Ranjan, Advocate
Mr. Surendra Kumar Mishra, 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

The petitioner has prayed for issuance of an appropriate Writ/Order or Direction in the nature of a Writ of Mandamus or any other appropriate Writ/Order or direction, commanding the Respondents to detach the property illegally mortgage by the bank in transgression of the scheme



of the M.S.M.E. Loan and return the original title deed retained by the bank.

In view of the fact that now D.R.A.T. is functional, learned counsel for the petitioner, under instructions, states that, the petition may be permitted to be withdrawn, with liberty to file an appeal before the D.R.A.T. or to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

Petition is disposed of as withdrawn with the liberty aforesaid.

Should the petitioner file the appeal within a period of four weeks from today, since the petitioner has been pursuing remedies before this Court, the issue of limitation shall not be allowed to come in the way and the appeal shall be heard on the merits on the basis of materials available on record.

We are passing such directions only for the reason that the D.R.A.T. was not functional and operational and the petitioner had been pursuing the remedies before this Court.

Interlocutory application(s), if any, shall also stand



disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Rishi/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

