

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6365 of 2022

Nuraisa Bibi Wife of Irfan Ansari R/o Vill.- Fuli, P.O.- Pipra, P.S.- Kudra,
District- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar through the Finance Secretary, Finance Department, Govt. of Bihar, Patna.
2. The Chief General Manager, Punjab National Bank, Plot No. 4, Sector 10, Dwarka New Delhi 110075.
3. The Zonal Manager, Punjab National Bank, Plot No. 4, Sector 10, Dwarka New Delhi 110075.
4. The Regional Manager, Punjab National Bank, Regional Office Chanakya Palace Second Floor Patna 800001
5. The Circle Officer, Punjab National Bank, Regional Office Chanakya Palace Second Floor Patna 800001
6. The Branch Manager, Punjab National Bank, Branch Office Usraon Kochas Rohtas
7. The Authorised Officer, Punjab National Bank Aurangabad

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gautam Kumar Yadav, Advocate
For the Respondent/s : Smt. Anuradha Singh (SC 21)

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 20-06-2022 Petitioner has prayed for the following relief(s):-

“For issuance of appropriate writ/writs,
order/orders, direction/directions to the
respondents for following relief/reliefs:-

(A) To issue writ/ writs including a writ
of mandamus or any other writ or direction in
the nature thereof directing the respondents to



extend the date for depositing the business loan amount for 6 month.

(B) To issue writ/writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent not to charge interest on interest/compound interest/penal interest component from the Petitioner on business loan for the period between March 2020 to till date, for the period during the moratorium extend the date for depositing the loan amount for 6 month.

(C) To issue writ/writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to calculate the loan amount after adjusting the loan repayment amount paid by the Petitioner till amount of Rs.5 lakhs and further to direct the respondent to give the statement of account to the petitioner.

(D) To issue writ/writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to grant benefit of one time settlement after calculating the loan amount without adding the interest on interest/compound interest/penal interest for the period during the moratorium.

(E) To issue writ/writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to accept 20% amount of principal loan amount under their one time settlement scheme and to settle



the loan amount because the petitioner has already repayed amount of Rs. 5 lakhs against the sanction loan and disbursements amount of Rs. 40 lakhs.

(F) To issue writ/writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondents not to charge the interest on the outstanding portion of the housing terms loan during the moratorium period.

(G) To quash the possession notice dated 30.10.2021 issued under signature of Authorised Officer Punjab National Bank Aurangabad by which the mortgage property has been taken into possession of the respondents Bank.

(H) To stay the possession notice dated 30.10.2021 issued under signature of Authorised Officer Punjab National Bank Aurangabad by which the mortgage property has been taken into possession of the respondents Bank till final decision of the present writ petition.

(I) To direct the respondents Bank not to sale/ auction the mortgage property in garb of possession notice dated 30.10.2021 issued under signature of Authorised Officer Punjab National Bank Aurangabad by which the mortgage property has been taken into possession of the respondents Bank till final decision of the present writ petition.

(J) Any other relief/ reliefs for which the petitioner is entitled under the facts and



circumstances of the case.”

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)

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