

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7036 of 2019

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Lalita Devi, W/o Lal Bihari Thakur, Resident of Village-Jehanabad, P.O.-
Jehanabad Jail, P.S.-Jehanabad, District-Jehanabad.

... .. Petitioner/s

Versus

1. The State Bank of India through the General Manager-1, 5th floor, Local Head Office, West Gandhi Maidan, Patna-800001
2. The General Manager-1, 5th floor, Local Head Office, West Gandhi Maidan, Patna-800001.
3. The Assistant General Manager (Premises and Estate), State Bank of India 8th Floor, Local Head Office, West Gandhi Maidan, Patna-800001.
4. The Regional Manager, State Bank of India, Regional Business office, (3rd floor), Gaya-823001, e-mail-agmr4.zopat@sbi.co.in.
5. The Branch Manager, State Bank of India, Hati, Jehanabad (code-8121), Bihar.
6. The Banking Ombudsman Reserve Bank of India, office of the Banking ombudsman, south, Gandhi Maidan, Patna-800001.
7. The Deputy General Manager Consumer Education and Protection Cell Reserve Bank of India, Financial Inclusion Development Department Consumer Education and Protection Cell South Gandhi Maidan Patna-800001.
8. The State of Bihar through the District Magistrate, Jehanabad, Bihar.
9. The State of Bihar through the District Magistrate, Jehanabad, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No 13, Advocate
		Mr. Mr. Rohit Kumar, Advocate
For the Respondent/s	:	Mr. Anil Kumar Singh (GP 26)

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

ORAL JUDGMENT



(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-10-2022

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

“I. A Certiorari setting aside the Notice u/s. 13(2) of securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter called ‘Act’) dated 24.08.2018 of loan Account No. 3160622879 of State Bank of India Hati (08124), Jehanabad Contained in Annexure-2 whereby and whereunder the respondents Authorities (State Bank of India) demand to repay to the bank the sum of Rs.463749.00+intt. And other charges (Rupees four Lakh Sixty three thousand seven hundred forty nine only) + intt. And other charges with further interest and incidental expenses, casts as stated in terms of notice under section 13(2) of the securitization and reconstruction of financial assets and enforcement of security interest Act, 2002, the respondent Bank Authorities will exercise all or any of the rights detailed under sub section (4) of section 13 and under other applicable provisions of the said Act. However petitioner repay the sum of 2,96,000.00 (Rs. Two lakh ninety six thousand) till the filing of this case.

II. Any other writ/writs for granting any other relief/reliefs for which the petitioners is found entitled to in the fact(s) and circumstance(s) of the present case.”



After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent respondent No.5, namely, the Branch Manager, State Bank of India, Hati, Jehanabad, Bihar, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.



Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/-

AFR/NAFR	
CAV DATE	
Uploading Date	20/10/2022
Transmission Date	

