

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6872 of 2022

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Aditya Kumar S/o Umesh Kumar Sah, R/o Village-Chhit Bhagwatipur,
Yehiapur, Muzaffarpur, Bihar-842001.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate, Muzaffarpur.
2. The Punjab National Bank through the Zonal Manager, Pankaj Market, Saraiyaganj, Muzaffarpur.
3. The Regional Manager, Punjab National Bank, Regional Office, Aghoriya Bazar, Muzaffarpur.
4. The Branch Manager, Punjab National Bank, MDDM Branch, Muzaffarpur.
5. The Chief Manager-cum-Authorised Officer, Punjab National Bank, Secured Creditor, Circle Sastra, Circle Officer - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Suman 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 : 21-06-2022

Heard learned counsel for the parties.

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

“(i) For issuance of an appropriate writ in the nature of mandamus, for a direction, to the respondent Authorized Officer, Punjab National Bank to give sale letter for Property ID No. PUNB2518872584 to the petitioner, who in terms of auction held on 25.02.2022, being the highest bidder and was declared H1 bidder, and accordingly deposited the total bid amount of Rs. 46,15,000/- (Forty Six Lakhs and Fifteen Thousand Only) in the month of March, 2022 i.e well within the stipulated time, but till date the respondents have not given the sale letter.

(ii) Further for issuance of an appropriate writ/writs in the nature of mandamus commanding the amount of Rs. 46,15,000/- (Forty Six Lakhs and Fifteen Thousand Only) along with penal interest @ 12 % and compensation to the petitioner, who deposited the aforesaid amount to the respondent, pursuant to auction dated 25.02.2022, held by Authorized Officer, Punjab National Bank, Muzaffarpur to sold secured assets at MDDM College, Road, M/S Juhi and Sofia Bricks Ind. Prop. Md. Farooque at Ratanpura, P.S. - Bochaha, Muzaffarpur in case, there is any huddle in giving the sale letter.

The petitioner participated in auction bid held on 25.02.2022 and being the highest bidder, he was declared H1 bidder for the property in I.D. No. PUNB2518872584.

(iii) Further for issuance of an appropriate writ for a direction to the respondents to make compensation for not giving the sale letter to the petitioner in time.

(iv) For any other appropriate writ or direction for which the petitioner is entitled to get.”

Our attention is invited to order dated 10.03.2022 passed in C.W.J.C. No. 3699 of 2022 titled as Mohammad Faruque Vs. The State of Bihar & Ors.

In view of the same, learned counsel for the petitioner states that petitioner shall approach **respondent no. 3, namely, Regional Manager, Punjab National Bank, Regional Office, Aghoriya Bazar, Muzaffarpur** venting out his grievances.

We are sure that if the original owner/borrower does not comply with the order passed in Md. Faruque (Supra), the respondent herein shall take all steps for handing over

possession to the petitioner.

With said observation and direction, this writ petition is disposed of.

Interlocutory Application(s), if any, also stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	