

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6907 of 2022**

Shankar Kumar Goswami Son of Vishwanath Goswami Resident of Chopra Bazar, P.O. and P.S.- Janki Nagar, Purnea, Permanent Resident of Ward No. 6, Ram Nagar, P.O.- Parsahi, District- Purnea.

... .. Petitioner/s

Versus

The Assistant General Manager, Stressed Recovery Branch, State Bank of India 2nd Floor, Patna Main Branch Building, Gandhi Maidan, Patna- 1.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate  
For the Respondent/s : Mr.Sanjiv Kumar.

**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 setting aside the letter dated 24.12.2021 OF Respondent by which information regarding failure of Compromise settlement has been served upon the petitioner with respect to letter No. SARB/05176/2020 – 2021 / AKS / 881 dated 24.07.2020 for non deposit of installments.
- ii) For a direction to the respondent not to take any coercive step against the petitioner under

provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 (For Short SARFAESI Act).

- iii) For a direction to the Respondent to accept payment of rest amount of settlement in twelve installments waiving out the interest.
- iv) For any other relief/reliefs to which the petitioner may be found entitled to 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 reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.

Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has

been pursuing the matter before this Court, shall be excluded for the purpose of condonation.

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The petition stands disposed of as withdrawn with the liberty aforesaid.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)**

**( S. Kumar, J)**

Rajiv/veena-

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