

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7262 of 2022

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Ranjeet Kumar Yadav Son of Fudan Lal Yadav Resident of Ward No.14,
Ashram Chowk, Araria, P.S.- Araria, District- Araria. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate-cum-Collector, Araria.
2. The District Magistrate-cum-Collector, Araria.
3. The In-charge Officer, District Legal Branch, Araria.
4. The Sub-Divisional Officer, Araria.
5. The Regional Manager, Bank of Baroda, Purnea.
6. The Authorized Officer-cum-Chief Manager, Bank of Baroda, Araria Branch, District- Araria.
7. The Branch Manager, Bank of Baroda, Chandani Chowk Araria Branch, District- Araria.

... ... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate
For the Respondent/s : Ms. Anuradha Singh (Sc21)

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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 following reliefs:-

I. For quashing the Letter No.509 dated 04.03.2022 issued by the District Magistrate, Araria (respondent No.2) in Case No.01 of 2022 U/s – 14 of SARFAESI Act whereby and where under the respondent No.2 has issued notice to the petitioner with regard to taking possession of secured land situated under Mauza – Basant, Thana No.206 bearing R.S. Khata No.1262, M.S. Khata No.130, RS Khesra No.706,8815,8816,8817, MS Khesra No.706 Ka, Kha, Gha, area 9 Decimal (712 Sq. Kari) and 9 Decimal (713 Sq. Kari), P.S. – Araria, District – Araria of the petitioner in favour of concern bank (respondent No.7).

- II. For further to quash the Possession Notice Dated 14.06.2021 issued by the respondent Bank (respondent No.7) to the petitioner.
- III. For further to quash the Notice dated 03.04,2021 issued U/s – 13(2) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act by the respondent Bank, to the petitioner.
- IV. For further to stay the operation of aforesaid orders/Notices issued by the respondent authorities whereby and where under the respondent bank has taken possession of secured assets of the petitioner.
- IV. For further direction to restrain the respondent authorities from taking any coercive action against the secured assets of the petitioner in pursuance to the aforementioned notice.
- V. For any other relief/reliefs for which the petitioner is entitled in the eye of law.

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.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of condonation.

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)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.06.2022
Transmission Date	NA