

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7812 of 2022

Vijay Kumar Sah Son of Late Longi Sah, Resident of Dharhara Road, Village
Keshopur, Post Jamalpur, P.S. - Jamalpur, District - Munger.

... .. Petitioner/s

Versus

1. The Dakshin Bihar Gramin Bank having its Head Office at Sri Vishnu Commercial Complex, N.H.-30, New By Pass, Patna through its Chairman - Cum - Managing Director.
2. The Zonal Manager, Dakshin Bihar Gramin Bank, Munger.
3. The Regional Manager, Dakshin Bihar Gramin Bank, Regional Office, Bhagalpur.
4. The Branch Manager, Dakshin Bihar Gramin Bank, Safia Sarai, District - Munger.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Kumar, Advocate
		Ms. Deep Nishi, Advocate
For the Respondent/s	:	Mr. Devi Das Srivastva, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-07-2022

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

“A. To issue a writ in the nature of certiorari setting aside the notice dated 17.1.2022 (Annexure-2) vide letter Ref. No. RBH/SAMD/1119/2021-22 issued by the Respondent No.3 to obtain the physical possession of the petitioner land (Mauja Keshopur, Thana N. 22, Ward No.18, Tauzi No. 416, Survey seat No. 82, New Khesra No. 8985).



B. A writ in the notice of mandamus on any other appropriate writ/writs, order/orders, directing the respondents to vacate the land of the petitioner.”

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

Learned counsel for the respondents states that the possession stands taken over by the auction-purchaser. However, if the petitioner were to take recourse to appropriate alternative remedies within a period of four weeks, limitation shall not be allowed to come in the way of its consideration and decision on merits since the petitioner has been pursuing remedies before this Hon’ble Court.

Statement accepted and taken on record.

The petition is disposed of as withdrawn with the liberty aforesaid.



Interlocutory application(s), if any, shall also stand
disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-DKS

AFR/NAFR	
CAV DATE	
Uploading Date	01.08.2022
Transmission Date	

