

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8200 of 2022

M/S Maa Shanti Rice Mill through its Proprietor Santosh Kumar Singh, Male, Aged about 59 years, son of Bishwanath Singh, Resident of Rasulpur, Tenghra, P.S.-Aurangabad, District-Aurangabad (Bihar) presently residing at Mohallah-Anugrah Nagar, Ward No. 41, North of Sone Canal, P.S.-Aurangabad, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The Punjab National Bank through its Zonal Manager, Punjab National Bank, R-Block, Chanakya Towers 2nd Floor, Veer Chand Patel Path, Patna, Pin Code-800001 (Bihar).
2. The Circle Sastra Head Circle Officer, Punjab National Bank, Aurangabad Branch, District-Aurangabad (Bihar).
3. The Branch Manager, Punjab National Bank, M.G. Road, Aurangabad, District-Aurangabad (Bihar).
4. The Authorized Officer, Punjab National Bank, M.G. Road, Aurangabad, District-Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate Mr. Jai Prakash Singh
For the Respondent/s	:	Mr. Kumar Priya Ranjan, Advocate Mr. Ankur Apurv Singh, Advocate

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

Date : 27-07-2022

Heard learned counsel for the parties.

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

(i) For quashing the letter dt
27.04.2022 issued by the Circle
Sastra Head, Circle
office, Aurangabad rejecting the



OTS (One time Settlement) Scheme entered between the petitioner and the Bank with regard to the NPA accounts No 0502009300107243, 0502008700002415 & 0502001C000000078 of Rs 1,90,000,00/ (one crores ninety lacs) within six months but unfortunately only after one months in most arbitrarily manner rejected the settlement exparty.

(ii) For a direction to the respondent Bank to release two of the mortgaged property bearing Sale deed No 433 dt 13.01.2012 and Sale deed No 377 dt 26.03.2011 which has been mortgaged before the bank alongwith other properties for the purpose of selling under the supervision of bank and the whole amount will be deposited in the loan accounts.

(iii) For commanding the Respondent Bank to restrain from acting upon the letter dt 27.04.2022 issued by the Sastra Head circle Office and not to disturb the peaceful possession of the Petitioner's house which is the joint property of the family.

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 computing limitation.

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)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	29.07.2022
Transmission Date	

