

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10225 of 2022

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Jai Maa Durga Services Having its place of business at Ward No. 02, Near ITI College, Charitraran, P.S.- Buxar Town, Buxar- 802101, Bihar through its authorized representative, Ganpati Pathak, aged about 47 years, Male.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Finance Department, Govt. of Bihar.
2. State Bank of India, Main Branch, Patna.
3. Authorized Officer, State Bank of India, Stressed Assets Recovery Branch.
4. Branch Manager, State Bank of India, Panchmukhi Branch, Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dayanand Singh, Advocate Mr. Nagadeo Choubey, Advocate Mrs. Pallavi Trivedi, Advocate Mr. Dhananjay Kashyap, Advocate Ms. Shivangi, Advocate Ms. Sonali Acharya, Advocate
For the Respondent/s	:	Mrs. Anuradha Singh, SC-21 Mrs. Namrata Mishra, Advocate

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

Date : 10-08-2022

Heard learned counsel for the parties.

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

“I. For issuance of appropriate writ / orders / direction to stay the operation of notices u/s 13(2) dated 30.08.2018 and possession notice u/s 13(4) dated 22.10.2019 issued by the State Bank of India (hereinafter referred to as the ‘Respondent Bank’.

II. For issuance of appropriate writ/ orders/



direction to Respondent Bank to not proceed or act in furtherance of possession notice till the final disposal of the application.

III. For issuance of appropriate writ in the nature of Mandamus for a direction to the Respondent Bank to settle the matter with regard to the loan account belonging to the Petitioner in an amicable manner under the OTS Scheme.

IV. Any other appropriate writ or direction which may deem fit and proper including the cost.”

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, 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	11.08.2022
Transmission Date	

