

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10629 of 2022

M/S Surbhi Chawal Udyog through its proprietor, Ratnesh Singh, aged about 40 years, male, son of Late Radha Krishna Singh, resident of Village-Musiya, P.O. Bagarhi, P.S. Ramgarh, District-Kaimur.

... .. Petitioner/s

Versus

1. The Punjab National Bank through its Regional Manager, Regional Office, R-Block, Patna.
2. The Chief Manager-cum-Authorized Officer, Punjab National Bank, 1st Floor, Mahuli Kothi, Near Peer Baba More, Ara-802301.
3. The Branch Manager, Punjab National Bank, Circle Recovery Central, Ara, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv
For the Respondent/s	:	Mr.Kumar Priya Ranjan, Adv

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

Date : 11-08-2022

Heard learned counsel for the parties.

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

i. For issuance of an appropriate writ/s, order/s, Direction/s for quashing possession notice dated 25.03.2022

issued in purported exercise of power taking possession of immovable property as mentioned in notice dated 25.03.2022, given to the respondent bank under section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with the Security Interest (Enforcement) Rule, 2002.

For issuance of an appropriate writ/s, order/s, Direction/s to the respondent bank to settle the dispute with the petitioner under OFS so that the outstanding amount as per calculation of the petitioner may be paid in easy installment since he suffered business loss due to Pandemic Covid-19.

For issuance of an appropriate writ/s, order/s, Direction/s to respondents not to take any coercive action and put the

immovable property taken in possession by bank on auction, till the lis is pending before Hon'ble Court or decided finally by the Hon'ble Court.

To pass such other order/orders as your Lordships may deem fit and proper in the facts and circumstances of this case.

In view of the fact that Debts Recovery Tribunal is now functional, learned counsel for the petitioners, under instruction, 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 petitioners before the Tribunal, the same shall be considered and decided expeditiously.

Needless to add, period for which the petitioners have 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)

ranjan/-

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