

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19602 of 2021

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M/S Gauri Fertilizer Store

... .. Petitioner/s

Versus

UCO Bank, a Govt. of India undertaking

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate
For the Respondent/s : Mrs.Smt. Anuradha Singh (SC 21)

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

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

3 25-01-2022 On 15th of December, 2021, petitioner, through learned counsel, had made a statement that the entire amount due and payable stood deposited. This prompted us to pass an order directing status quo to be maintained as on date.

In the counter affidavit, in para-17, inter alia, it stands averred as under:

“That petitioner slept over the matter for six months compelling the Respondent Bank to proceed further. The respondent Bank issued Sale Notice for e-auction again on 09.08.2021 communicating all concerned as per the SARFAESI Act and date for auction was fixed on 31.08.2021. Paper publication as



mandated was also made with reserve price of Rs. 44.87 Lakhs of the secured assets and on that day the outstanding dues was Rs. 28,99,000/-. The auction sale was concluded in favour of one Arvind Kumar Singh and Sale Certificate was issued on 16.09.2021. The said sale proceed has been credited in the said CC account of the Petitioner and the Surplus money as on 16.09.2021 was Rs.15,89,700.”

In view of the same, we vacate our interim order directing status quo to be maintained.

List on 29.03.2022.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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