

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11752 of 2022

M/s Kishan Agro Enterprises a Proprietorship firm, through its, proprietor, Shobha Kumari, aged about 51 years, Female, W/o Radhey Sharma, resident of Village and post - Nimi, P.S. - Shekhopur Sarai, District - Sheikhpura, Pin Code - 811103.

... .. Petitioner/s

Versus

1. Bank of Baroda (Previously known Vijaya Bank), Branch Office - Rosarb Patna, Address - 1st Floor, Sayug Complex, Nehru Nagar, Patilputra, Patna, Pin Code - 800013, Bihar.
2. Bank of Baroda (Previously known Vijaya Bank), Regional Offices at 1st Floor, Anand Vihar Building, West Boring Canal Road, Patna - 800001, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate
For the Respondent/s : Mr. Vivek Prasad, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 24-08-2022 Petitioner has prayed for the following relief(s):-

“a. For issuance of a writ in the nature of certiorari for quashing the sale notice dated 25.06.2022 as contained in Annexure 2 to this writ application whereby the respondent bank has given notice for sell of immoveable assets of the petitioner Firm for recovery of outstanding dues of Rs.72,67,515.00.

b. For issuance of a writ in the nature of mandamus commanding the respondent bank to regularize the account of the petitioner firm and forward the same to the Committee for Stressed Micro, Small and Medium Enterprises for



suitable corrective action plan in accordance with the mandatory guidelines dated 17/03/16 issued by the Reserve Bank of India as contained in annexure- 5 to this writ application.

c. For issuance of a writ in the nature of mandamus commanding the respondent bank not to take any coercive action against the petitioner firm or the secured asset for realization of loan amount till the aforesaid committee recommends suitable corrective action plan.

d. For any other relief/reliefs which may be deemed fit and proper by this Hon'ble Court.”

In view of the fact that Debts Recovery Tribunal and Debts Recovery Appellate Tribunal are now functional, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition with liberty to pursue his application before D.R.T. or 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 petitioner before the Tribunal, the same shall be considered and decided expeditiously.

The petition stands disposed of as withdrawn with the



liberty aforesaid.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

K.C.Jha/Kundan

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