

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.542 of 2021

In
Civil Writ Jurisdiction Case No.1178 of 2020

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1. M/S Tirupati Storage and Allied (P) Ltd. having its registered office M 52/22A, Road No. 25 Sri Krishna Nagar, P.S. Buddha Colony Patna through its Managing Director Smt. Vijaya Singh aged 51 years (female) wife of Dr. Yashwant Singh, Resident of M 52/22A, Road No. 25 Sri Krishna Nagar, Police Station - Buddha colony, Patna - 800001.
 2. Smt. Vijay Singh aged 51 years, Wife of Dr. Yashwant Singh Resident of M 52/22A, Road No. 25 Sri Krishna Nagar, P.S. Buddha Colony, Patna - 800001.
 3. Dr. Yashwant Singh aged 65 years, S/o Late Shakti Prasad Singh Resident of M 52/22A, Road No. 25 Sri Krishna Nagar, P.S. Buddha Colony, Patna - 800001.
 4. Dr. Satish Kumar Singh aged about 85 years Son of Late Durga Shankar Prasad Singh Resident of A-24, Kailash Colony, Police Station- Kailash Colony, New Delhi - 110048 represented by his power of Attorney Holder Dr. Yaswant Singh, resident of M52/22A, Road No. 25, Sri Krishna Nagar, Police Station - Buddha colony, Patna - 800001.

... .. Appellant/s

Versus

1. United Commercial Bank Having its Head Office at 10, Biplabi Trailokya, Maharaj Sarnai (Brabourne Road) Kolkatta, represented by its Managing Director and Chief Executive Officer Head Office at 10, Biplabi Trailokya, Maharaj Sarnai (Brabourne Road), Kolkatta - 700001.
2. Managing Director and Chief Executive Officer, United Commercial bank, Head Office at 10, Biplabi Trilokya, maharaj Sarnai (Brabourne Road), Kolkatta - 70001.
3. Chief Manager, United Commercial Bank, Fraser Road Branch, Patna - 800001.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajendra Narain, Sr. Advocate Mr. Sanjeev Ranjan, Advocate
For the UCO Bank	:	Mr. Ranjeet Kumar Pandey, Advocate



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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

3 05-04-2022 Heard learned counsel for the parties.

After arguing at considerable length, learned senior counsel for the appellants seeks to withdraw this appeal, however submits that the observation made in paragraph No. 46 of the impugned judgment dated 09.08.2021, passed in CWJC No. 1178 of 2020 may be expunged, especially in view of the explanation furnished in paragraph No. 27 of the present Appeal to the effect that on account of inadvertence incorrect figure of the amount disbursed was mentioned in the writ petition but the same was corrected by filing a supplementary affidavit, hence there was no intention to mislead the Hon'ble Court.

Keeping in view the facts and circumstances of the case and the submission made by the learned senior counsel as also the averments made in the present Appeal to the effect that facts were clarified by way of supplementary affidavit, we deem it fit and appropriate to drop the action proposed in paragraph No. 46 of the impugned judgment, seeking to prosecute the appellants.



As far as the rest of the impugned judgment is concerned, the same shall stand as such.

The appeal is dismissed as withdrawn.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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