

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11908 of 2022

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1. M/s Om Sai Food Products Private Limited through its Director Sri Rakesh Kumar, situated at 70 Feet, Mak Path, Mahavir Nagar, New Bypass Road, Dasratha, Patna.
 2. Rakesh Kumar, son of Sri Om Prakash Gupta, Resident of Salimpur Ahra, Daldali Road, Patna- 800003 at present residing at C/o Gopal Medical Hall, Bhikhnaphari, Saidpur More, P.S. Kadamkuan Patna- 800004.

... .. Petitioner/s

Versus

1. Bank of Baroda through its Zonal Manager, Zonal Office, 5th Floor, Boring Canal Road, Patna, Bihar- 800001.
2. Chief Manager, Bank of Baroda, Srikrishnapuri Branch, Naval Arcade, Srikrishnapuri, Boring Road, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rajan Ghoshrahe, Advocate
For the Respondent/s : Mr. Siddharth Harsh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 24-08-2022

Petitioners have prayed for the following
relief(s):-

- I. For issuance of a writ of certiorari for quashing the Recall Notice dated 25/01/2022 issued by the Respondent No. 2 by which the Respondent Authorities have recalled the Cash Credit Loan bearing A/c No. 18630500000034.
- II. For issuance of an appropriate writ, order or direction commanding the Respondent Authorities to convert the



Cash Credit Account bearing A/c No. 18630500000034 of the Petitioner into a standard account which has illegally been classified as Non Performing Asset (NPA) on 16/05/2022 while the outstanding balance in the said Cash Credit Account was Rs. 49,68,130.60 which was well within the credit limit (Rs. 50 Lac) duly sanctioned by the Respondent Bank on 16/04/2009 to the Petitioner.

III. For issuance of an appropriate writ, order or direction commanding the Respondent Authorities to renew the said loan account of the Petitioner and allow the transactions in the said Cash Credit Account of the Petitioner.

After the matter was heard for some time, finding the Court not in favour of the submissions made by the learned counsel for the petitioners, learned counsel for the petitioners, under instructions, states that the petitioners shall be content if the petitioners are permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum or to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

It stands clarified that all issues of fact and law are left open to be agitated by the competent authority.



The petition is disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Vikash/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	25.08.2022
Transmission Date	

