

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11967 of 2022

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M/s. Ashutosh Enterprises through its proprietor Shri Ashutosh Kumar Upadhyay, aged about 32 years, male, son of Shri Rama Shankar Upadhyay, resident of Village - Mahammadpur, Police Station - Manjhi, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Bank of India through its General Manager, Patna.
2. The Assistant General Manager, Stressed Assets Recovery Branch, State Bank of India, 2nd Floor, West of Gandhi Maidan, Patna.
3. The Authorized Officer, State Bank of India, Stressed Assets Recovery Branch, 2nd Floor, West of Gandhi Maidan, Patna.
4. The Branch Manager, Mahammadpur Branch, District- Saran at Chapra.
5. The District Magistrate, Saran at Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate
For the Respondent/s : Mr. Santosh Kumar Singh, Advocate

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

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 25-08-2022

Petitioner has prayed for following relief:-

“For issuance of writ/writs, order/orders, direction/directions for direction to the respondents to consider the case of the petitioner under New One Time Settlement (O.T.S.) Scheme and further for quashing the letter dated 04.06.2022 written to the Respondent No. 5 for



issuing necessary order for taking physical possession under the SARFAESE Act, 2002 without giving proper notice to the petitioner and further for quashing the letter dated 15.06.2022 fixing the date of sale of the petitioner's unit without proper verification and valuation and without giving opportunity to the petitioner and on lesser value sale notice has been issued and further for any other relief/reliefs as the petitioner is found entitled to in the facts and circumstances of the case for the ends of justice.”

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 approach the same and 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

AFR/NAFR	
CAV DATE	
Uploading Date	26.08.2022
Transmission Date	

