

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.12603 of 2022**

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Shail Bala Chaudhary @ Shailwala Chaudhari W/o-Rajeev Ratan Chaudhary  
@ Rajiv Ratan Chaudhari, Resident of Village- Harpur Rewari, P.S.-  
Ujiyarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Govt. of Bihar Patna.
2. The General Manager, Canara Bank, Regional Office-11, Morya Lok  
Dakbunglow Road, Patna 800001
3. Canara Bank, Samastipur, Branch Office Samastipur.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Rajeev Ranjan, Advocate  
For the Respondent/s : Mr.Anil Kumar Singh, GP-26

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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.)**

2      02-09-2022      Petitioner has prayed for the following relief(s):

“(i) For issuance of a writ in the nature of Mandamus directing and commanding the respondents Bank to not auction the land of the petitioner and not disturb her and her family member from belonging to their land but aforesaid bank is ready to make the petitioner land law.

(ii) For issuance of a writ in the



nature of mandamus directing and commanding the respondent of the family member of the leave be not punished for the fault of the Bank as the Bank has not ensured the 10 acre as per the terms and condition and rule the one must be ensured. Due to lines the petitioner could not deposit the loan amount in time but she deposited amount to the Bank time to time.

(iii) For issuance of a writ in the nature of mandamus directing and commanding the respondent bank to calculate the interest as per the agreement and settled the matter on the humanitarian ground as the petitioner has been paid amount to the loan amount or interest amount and now there is no source of income of the petitioner when she was retired from his service.

iv. To ground any other relief or reliefs for which the petitioner is entitled as per the law as well as the facts.”

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



Prayer allowed.

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

As and when petitioner initiates such proceeding, the same shall be considered expeditiously, in accordance with.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

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

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

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

K.C.Jha/DKS

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