

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12659 of 2022

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Govind Prasad Son of Late Baijnath Prasad, resident of Mohalla-
Makhlautganj, Police Station - Kotwali, District -Gaya.

... .. Petitioner/s

Versus

1. Bank of Baroda through Managing Director, Mandxi Kurla Complex,
Bandra, Mumbai Maharashtra – 4000051.
2. The Branch Manager, cum authorized officer Bank of Baroda Main Branch,
Rathoura Bhawan Swarajpuri Goad, Gaya.
3. The District Magistrate, Gaya.
4. The Sub-Divisional Magistrate, Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Ban Bihari Singh, Adv
For the Respondent/s	:	Mr.Sajid Salim Khan (SC25)
		Mr. Santosh Kr Singh, Adv
		Mr. Divyam Verma, Adv

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 08-09-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- (I) For issuance of a writ in the nature of certiorari and any other appropriate writ for quashing the notice dated 17.7. 2022 Under Sub Section IV of Section 8(1) of Security Interest (Enforcement) Niyamawali 2002 issued through Hindustan Hindi News paper regarding attachment of landed properties of the petitioner situated (a) North Makhlauganj Plot no. 12712 , 12713 (Old) 122, 75282 ft/)b) Aziza Plaza Swarajpuri Road, Ward No. 5, Plot no. 1447 area 1852 Sq. ft. Gaya (c) New Colony Holding no. 601C , Survey Ward

no. 13 area 1050 Sq. ft. gaya without service of any notice because the petitioner is in Judicial Custody Since 5.2. 2022.

(II) For issuance of any other writ/ writs, order/ orders, direction/ directions which your lordships may deem fit and proper in the facts and circumstances of the case.

In view of the fact that Debts Recovery Tribunal is now functional, learned counsel for the petitioners, under instruction, seeks permission to withdraw the present petition with liberty 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 petitioners before the Tribunal, the same shall be considered and decided expeditiously.

Needless to add, period for which the petitioners have

been pursuing the matter before this Court, shall be excluded for the purpose of condonation.

The petition stands disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA