

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13177 of 2022

Kaushal Kishor Sharma Son of Ram Balak Sharma, Resident of Village Achuara, P.O.- Achuara, P.S.- Barh, District- Patna, At present resident of Flat No. 404, Vishnu Bhawan, East Boring Canal Road, Patna- 800001.

... .. Petitioner/s

Versus

1. The State Bank of India Bela Branch, Muzaffarpur through the Branch Manager
2. The Assistant General Manager, State Bank of India, Mithanpura, P.O.- Ramna, District- Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Respondent/s : Mrs. Namrata Mishra, Advocate
Mr. Sanjiv Kumar, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(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.)

Date : 16-09-2022



Heard learned counsel for the parties.

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

1. That this application is being filed for issuance of a writ in the nature of writ of mandamus directing the respondents to refund the amount of Rs. 12,51,250/- along with interest which was paid by the petitioner to the Bank for auction purchase of the mortgaged land belonging to Prabhat Hosiery Industries, Bela, District Muzaffarpur
- (i) For any other consequential relief/reliefs for which the petitioner is entitled by this Hon'ble Court in the facts and circumstances of the present case.

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies, as are otherwise available, in accordance with law.



Permission granted.

We are sure that as and when any such proceedings are initiated, before the appropriate forum/Tribunal, the same shall be considered and decided expeditiously, in accordance with law.

Needless to add, period for which the petitioner has been pursuing the matter before this Court, shall be excluded for the purpose of computing limitation.

It is made clear that we have not expressed any opinion on merits. All issues are left open.

The petition stands disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	19.09.2022
Transmission Date	

