

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13398 of 2022

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1. Raj Muni Devi Wife of Surendra Singh, Resident of Village- Makrain, P.O. Dalmia Nagar, Police Station- Dehri, District - Rohtas, Bihar.
 2. Binita Bharti Wife of Sheo Shankar Sharma, Resident of Western Mohan Bigha, P.O. and P.S. - Dehri, District- Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The Punjab National Bank, through its Managing Director and Chief Executive Officer, Plot No. 4, Sector -10, Dwarka, New Delhi - 110075.
2. Managing Director and Chief Executive Officer, The Punjab National Bank, Plot No. 4, Sector -10, Dwarka, New Delhi - 110075.
3. The Zonal Manager/Circle Head, The Punjab National Bank, 2nd Floor Chanakya Towers, R- Block Patna - 800001.
4. The Bank Manager, The Punjab National Bank, New Dillian, Dehri, District - Rohtas, Bihar.
5. Dharmveer Sharma Son of Lal Bahadur Sharma, Resident of Western Mohan Bigha, P.O. and P.S. - Dehri, District- Rohtas, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar, Advocate
Mr. Ambuj Nayan Chaubey, Advocate
Mr. Ashok Kumar Garg, Advocate

For the Respondent/s : Mr. Ambarish Kumar, Advocate
Mr. Mirtunjay 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.



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

- i.) For issuance of appropriate writ, order or direction for quashing and setting aside the entire auction proceeding and issuance of sale certificate in connection with the property admeasuring 1.5 Dismil, appertaining to Khata No. 69 & 71, Plot no. 201 (Old), 198/687 (New), Ward No. 21, Thana No. 162, Mauza – Diliyan, Dehri, District – Rohtas, Bihar for being void, inoperative and conducted in violation of the principles of natural justice.
- ii.) For issuance of an appropriate order or direction to the Respondents for bringing on record the proceedings leading to the e-auction of the entire property admeasuring 1.5 Dismil appertaining to Khata No. 69 & 71, Plot no. 201 (Old), 198/687 (New), Ward No. 21, Thana No. 162, Mauza – Diliyan, Dehri, District – Rohtas, Bihar in favour of the Respondent No. 5.
- iii.) For issuance of an appropriate order or direction interdicting the Respondents from interfering or dealing with the private property of the Petitioner No. 1.
- iv.) For grant of such other order or direction for which the Petitioners are found entitled to in the facts and circumstances of the case.

Learned counsel for the petitioners states that the petitioners shall be content if the respondent Bank is



directed to furnish the particulars of the auction purchaser as also the entire correspondence in relation to the auction of the property, enabling the petitioners to take recourse to the provisions under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Learned counsel for the respondent Bank states that within a period of next two working days, he shall himself supply the details to Shri Prashant Kumar, learned counsel for the petitioners.

Statement accepted and taken on record.

Ordered accordingly.

The instant petition stands disposed of with liberty as prayed for.

In view of the fact that petitioners have been pursuing their remedies before this Court and the fact that the Tribunal was not functional for quite some time, the issue of limitation shall not come in the way of the respondent Bank in deciding the petitioner's case on merits.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.2022
Transmission Date	

