

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13891 of 2022

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Rafat Amin Son of Ghaus Mohammad, Ex-Senior Manager, Bank of India (Patna Zone), Mahdah Branch, Police Station-Buxar (M), Buxar, Resident of Village-Baheri, Police (near Chandrashekhar Nagar), Police Station-Balia, District-Balia (U.P.)

... .. Petitioner/s

Versus

1. The Deputy General Manager-Cum-Appellate Authority Bank of India, Oatna Zone, Chanakya Tower, R. Block, Patna-800001
2. The Assistant Genral Manager-Cum-Disciplinary Authority, Bank of India, Oatna Zone, Chanakya Tower, R. Block, Patna-800001
3. The Deputy Zonal Manager, Patna Zone, Bank of India, Chanakya Tower, R. Block, Patna-800001
4. The Branch Manager, Mahdah Branch, Bank of India, Buxar.
5. Authority Officer, Bank of India, Ara Branch, Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prashant Sinha, Advocate

For the Respondent/s : Mr. Nishi Nath Ojha, Advocate

Mr.Sanjay Singh Thakur, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-11-2022

The petitioner has prayed for the following relief/s :-

“For issuance of writ in the nature of certiorari for quashing of the possession notice dated 02-08-2022 issued by the Authorized Officer, Bank of India, Ara Branch, Ara whereby the immovable property of the petitioner consisting of Plot No. 426/02, Mauza Baheri, Thana No. 1006 within



registration Sub-District/District-Balia bounded on the north by Sri Ram Sakal Giri, on south by 12" katchcha Rasta, on east by Abhijeet Singh and on west by Anjum Ara.

(ii) For holding that the petitioner was provided with the facility of loan as being staff of the Bank and he could not repay the loan as he was not paid with any salary on account of illegal order of dismissal, which is under challenge before this Hon'ble Court in CWJC No. 23807/2018.

(iii) For staying the SARFAESI proceeding against the petitioner till disposal of CWJC No. 23807/2018.

(iv) For any other direction, which your Lordships may deem fit and proper in the facts circumstances of the case."

Mr. Prashant Sinha, learned counsel for the petitioner states that within next two working days, petitioner shall approach the respondent - bank for release of all documents, in original.

Learned counsel for the respondents states that the documents already stand released, however, should there be any need to release the remaining documents then needful shall be done within two working days from the date the petitioner approaches the respondent bank.

It is open for the petitioner to vent all grievances before the appropriate authority.



Petition stands disposed of in the aforesaid terms.

Interlocutory application, if any, stands disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	03/11/2022
Transmission Date	

