

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14132 of 2022

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1. Pratibha Mishra Wife of Arvind Kumar Mishra, Resident of Village Manguraha Areraj, Police Station Govindganj District- East Champaran.
 2. Arvind Kumar Mishra Son of Braj Mohan Mishra, Resident of Village Manguraha, Areraj, Police Station Govindganj District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Financial Department, Government of Bihar, Patna.
2. The Zonal Manager, PNB, Onal Office, 2nd Floor Chanakya Tower, R-Block, Patna, Bihar.
3. The Branch Manager, PNB, Navada, Govindganj, Areraj East Champaran, Bihar.
4. The Authorized Officer, PNB Bank, (Secured Creditor) Govindganj, Areraj, East Champaran, Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

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.)

4 04-11-2022

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

“(i) for quashing the Intend Sale Notice dated 17.08.2022 issued by Respondent No.4 against the immovable property of the petitioners.

(ii) For directing the respondent authorities not to take any coercive step against the petitioners till the disposal of this writ application.

(iii) For directing the respondent authorities not to sell the property mortgaged before



the bank which is situated at Anchal Areraj, Police Station -Govindganj, District- East Champaran.

(iv) For directing the respondent authorities to grant further 6 months time to the petitioners to start repaying the outstanding dues amount Rs.11,24,542.02 with applicable interest in reasonable installments.

(iv) For any other relief reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

Learned counsel for the petitioner, under instructions, seeks permission to withdraw the present petition reserving liberty to initiate appropriate proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 or any other remedy, as are otherwise available, in accordance with law.

Liberty, as prayed for, is granted.

Petition stands disposed of as withdrawn.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Sujit

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