

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20267 of 2021

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Uday Prakash Singh S/o Late Ramji Singh, R/o Vill and P.O.-Laheji, P.S.-MH
Nagar, District-Siwan.

... .. Petitioner/s

Versus

1. The Union of India through the Under Secretary, Department of Financial Services, Ministry of Finance, 3rd Floor, Jeevan Deep Building, Sansad Marg, New Delhi-1.
2. District Magistrate, Siwan, Bihar.
3. Chief Manager cum Authorized Officer, Central Bank of India, Regional Office, Netajee Subhash Colony, Motihari, District-East Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shiv Pratap, Advocate Mr. Manoranjan Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Dr. Krishna Nandan Singh (ASG) Mr. Sarvesh Kumar Singh, Advocate-GP 24 Mr. Ajit Kumar Sinha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
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.)

2 08-02-2022 Petitioner has prayed for following relief (s) : -

I. For the issuance of appropriate writ or writs in the nature of Certiorari quashing the order issued vide Memo No, 2369 dated 20.11.2021 by Respondent No. 2 herein District Magistrate, Siwan under Section 14(1) of Securitization and Financial Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002, for taking physical possession of the mortgaged property of the petitioner.



II. For issuance of a writ in the nature of mandamus directing the Respondents Authorities not to proceed for taking physical possession of scheduled on on 30.11.2021 of petitioner's property purchased vide Sale Deed No 12416, 11493, 11492, 12415, 16872, 16443 & 3890/3779.

III. For issuance of a writ setting aside entire SARFAESI proceeding initiated by the Respondent Bank till outcome of the appeal no. SA 132/2021 filed before Debts Recovery Tribunal (DRT) Patna which is pending for adjudication and further be pleased to forbear the Respondent No. 2 & 3 from interfering with the possession of the petitioner's immovable mortgaged property.

IV. For any other relief/reliefs for which the petitioner is entitled for and for any other appropriate order/s deemed fit in the interest of justice.”

After the mater was heard for some time, finding the Bench not to be in favour of the submission so made across the Bar, learned counsel for the petitioner, under instructions, states that, in view of the intervening developments, the petition may be permitted to be withdrawn.

Prayer allowed.

Petition is disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/chn

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