

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17945 of 2019

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1. M/s Raj Egg Agro through its proprietor Mr. Sachidanand Singh, place of business Mima, P.S.- Sakhua, P.S. Udwanthnagar, District- Bhojpur, Bihar.
 2. Sachidanand Singh Son of Rajaram Singh Proprietor of M/S Raj Agro, resident of village Mima, P.S. - Sakhua, P.S. Udwanthnagar, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. Vijaya Bank Now called as Bank of Baroda through its Managing Director, Head Office at 41/2 MG, Road, Bangalore.
2. Branch Manager Vijaya Bank now called as Bank of Baroda, Branch Ara, District- Bhojpur, Ara.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sumeet Kr. Singh, Advocate Mr. Satyendra Prasad Singh, Advocate
For the Respondent/s	:	Mr. Nishi Nath Ojha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 08-12-2022 The petitioners have prayed for the following relief/s :-

“For quashing the notice issued under Rule 8(1) of the SARFEASI Act 2002 by which the possession of the property situated in Serial No. 2 has been taken into possession; on the ground that the due process has law has been not followed and the petitioner has not been given ample time to repay the amount after setting up the business;

II. That the present writ application is being filed in the nature of Mandamus for a direction to the bank authorities specially the Branch Manager, Vijaya Bank, Ara now called



as Bank of Baoroda as taken over by Bank of Baroda, Ara, Bhojpur, Ara to reconsider the matter and grant time to the petitioner for settlement of the account in accordance with law, seeing the business condition of the petitioner;

III. For any other relief/Reliefs for which the petitioner is entitled for.”

In view of the fact that Debts Recovery Tribunal is now functional, learned counsel for the petitioners, under instructions, seeks permission to withdraw the present petition with liberty to take recourse to such other appropriate remedies, as are otherwise available, in accordance with law.

Permission granted.

As and when any such request is made by the petitioners before the Tribunal or the respondent-bank, the same shall be considered and decided expeditiously.

The petition stands disposed of as withdrawn with the liberty aforesaid.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Sujit

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