

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15043 of 2022

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Jagdeo Das Son of Bedeshi Das Resident of Dhanakar Imrahimapur, Near
Dhankar Holi Family School, P.O. and P.S.- Sabour, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The LIC Housing Finance Ltd., through General Manager Corporate Office situated at 131, Maker Tower F Premises, 13th Floor, Cuffle Parade, Mumbai- 400005.
2. The LIC Housing Finance Ltd., through Authorised Officer, Patna Back Office, LIC Housing Finance Ltd., 8th Floor, BSFC Building, Frazer Road, Patna, Bihar, Pin- 800001.
3. Authorised Officer, LIC Housing Finance Ltd., Branch Bhagalpur, office situated at Second Floor, Bhagawati Aangan, near Civil Surgeon Compound, M.G. Road, Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate
For the Respondent/s : Mr.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

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 : 18-11-2022

Petitioner has prayed for following relief (s) : -

“That this is an application for issuance of an appropriate writ/rule/direction commanding the respondents not to take any coercive action for taking physical possession of



the property bearing Khata No 21, Khesra No 01, an area of 7.8125 decimal situated at Mauza Dhankar, Achal- Sabour, District- Bhagalpur, State- Bihar, bounded as North- Road, South- Hal Kharidar, East- Road, West- Khairo Yadav on account of not repayment of loan amount, which has been given in Mortgage for availing housing loan along with the wife of this petitioner (now deceased) from the LIC Housing Finance Ltd. for an amount of Rs.14,50,000/- in which the petitioner had already paid about 8 Lacs and still ready to pay the same on easy installment.

The petitioner further prays for passing any such order/ orders, writ/writs for which the petitioner is found to be entitled in the facts and circumstances of this case.”

In view of the fact that Debts Recovery Tribunal and Debts Recovery Appellate Tribunal are now functional, learned counsel for the petitioner, 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 petitioner before the Tribunal, 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)

K.C.Jha/-Chn

AFR/NAFR	
CAV DATE	
Uploading Date	21.11.2022
Transmission Date	

