

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.33 of 2022

M/s Deoki Petroleum

... .. Petitioner/s

Versus

The Chief Manager, State Bank of India & Ors.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Abhay Kumar Sinha, Advocate
For the Respondent/s	:	Mr.Dr. Krishna Nandan Singh (ASG)
		Mr. Sanjay Singh Thakur, Advocate
		Mr. Sameer Kumar, Advocate
		Mr. Rajesh Kumar Singh, Advocate
		Mr. Ravinder Kumar Sharma, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 08-09-2022 The Property was auction sold by the bank with the sale deed registered in favor of the successful bidder. The total sale consideration is Rs.86,71,690/-. In addition, the Bank incurred an expense of Rs.5,76,763/-. This was as on 30th of December, 2020.

Pursuant to the order dated 21st of February, 2022 passed by this Court, the petitioner deposited a sum of rupees one crore with the respondent bank.

The auction purchaser is ready and willing to settle

the matter with the parties to the instant lis, by accepting a sum of rupees one crore deposited by the petitioner with the Bank and also getting the deed of agreement/sale deed/registration cancelled for which the expense would be borne by the auction purchaser.

The auction purchaser is also ready and willing to bear the cost of Rs.5,76,763/- along with up-to-date interest towards the charges incurred by the Bank for putting the property to auction sale and getting the sale deed registered.

After deducting the entire amount incurred towards the registration and to be incurred for cancellation of the deed, the remaining amount is directed to be remitted into the account of auction purchaser. This be done within a period of one week from today.

In any case, the petitioner would continue to retain the possession and assist in getting the sale deed cancelled.

With the issue thus resolved and amount paid, the respondent Bank agrees to withdraw the proceeding initiated before the Debt Recovery Tribunal, Patna being O.A. No.798 of 2019, titled as State Bank of India Vs. M/s Deoki Petroleum & Others.

Petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed
of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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