

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15771 of 2022

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Nirmala Devi Wife of Parshuram Singh resident of Village - Malahai Balu Tola, P.O. and P.S.- Malahi Bazar, District - East Champaran, Partner M/S Jai Hanuman Cold Storage, Malahi Bazar, East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary Finance Dept. Govt. of Bihar, Patna.
2. The Branch Manager, UCO Bank, Branch Bettiah, Saran Sadan, Kavivan Nepali Path, Bettiah, West Champaran.
3. The Authorised Officer/Chief Manager, UCO Bank Zonal Office, Maurya Lok Complex, 4th Floor, Block A, New Dak Bungalow Road, Patna - 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Umesh Tiwari, Advocate
For the Respondent/s : Mr.Raghwendra Kumar (SC22)

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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.)

2 18-11-2022

Petitioner has prayed for the following relief(s):

“For issuance of writ in nature of Mandamus, directing and commanding the respondents to settle the dispute of payment of dues loan after accounting the amounts paid by petitioner's firm and amount sanctioned by Respondent No. 2 on prescribed rate of interest on loan sanctioned as agricultural purpose.”

Having heard learned counsel for the parties, we



are of the considered view that the issues raised by the present petitioner can be best addressed by the forum created under the Special Statute for adjudication of the disputes arising under the SARFAESI Act. It is not in dispute that O.A. No.971 of 2018 is pending consideration before D.R.T., Patna.

In the attending circumstances, we request the learned Tribunal, which is now fully functional, to positively decide the said O.A. expeditiously and within a period of six months from the date of production of a copy of this order.

Needless to add, it shall be open for the parties to place entire material in the said proceedings and opportunity of hearing shall be afforded to all concerned. In fact, we direct the petitioner to appear before the Tribunal on 30.11.2022 at 10:30 a.m. and appraise about passing of the order.

Petition is disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/DKS

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