

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1524 of 2022

Arising Out of PS. Case No.- Year-0 Thana- District- Muzaffarpur

Rajesh Kumar S/O Chandrika Sah Resident of village- Chakgaji, P.S.-
Ahiyapur, District- Muzaffarpur, Bihar.

... .. Petitioner

Versus

1. The State of Bihar, through the Chief Secretary Government of Bihar, Patna.
2. The Director General of Police (DGP), Government of Bihar, Patna.
3. The Superintendent Of Police (SP), Muzaffarpur.
4. The SHO/ Officer In-Charge Of Ahiyapur Police Station Bihar
5. Allahabad Bank, through its Managing Director, Head Office, 2, Netaji Subhash Road, Kolkata.
6. The Regional Manager, Regional Office, Allahabad Bank, Om Shanti Complex 2, Floor. Bihar Opposite Zila School, Muzaffarpur.
7. The Branch Manager, Allahabad Bank, Jawahar Lal Road Branch, Chhoti Saraiya Ganj, Muzaffarpur Bihar
8. The Authorized Officer, Allahabad Bank, Jawahar Lal Road Branch, Chhoti Saraiya Ganj, Muzaffarpur. Bihar
9. Surendra Prasad Singh S/O Rameshwar Prasad Singh Resident Of Village- Sourkahiya, P.S.- Jaitpur, District- Muzaffarpur, Bihar.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Prakash Chandra, Advocate
For the Respondent/s : Mr. Iqbal Asif Niazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and Mr.

Iqbal Asif Niazi, learned AC to GP-5 for the State.

In this case what has ultimately transpired is that against the order rejecting SARFESI case of the petitioner, the petitioner has preferred an appeal before Debt Recovery Appellate Tribunal (in short 'DRAT') and the same is pending consideration till date. The DRAT has passed an interim order



on 30.12.2020 that the auction purchaser shall not create any third party right.

In the aforesaid view of the matter, if at all any third property right has been created, as is being contended by the petitioner, he may bring it to the notice of the DRAT for a suitable order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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