

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20752 of 2019

Manju Kumari Wife of late Vinay Kumar Singh, Resident of Sheo Kunj Bela
Bihar, Bela, Sherpur, District and Town- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Central Bank of India through its Chairman Central Office at Chandramukhi, Nariman Point, Mumbai- 400 021
2. The Regional Manager Central Bank of India, Regional Office, Speaker chowk, Muzaffarpur- 842001, Bihar.
3. The Chief Manager, Central Bank of India, Zonal Officer, Pawapuri Vihar Building NH-28 Bhagwanpur, District- Muzaffarpur.
4. The Authorized Officer, Central Bank of India, Regional Office, Speakers Chowk, District- Muzaffarpur- 842 001, Bihar.
5. The Debt Recovery Tribunal , Patna through the Presiding Officer.

... .. Respondent/s

Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Prabhakar Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 15-12-2022

Petitioner has prayed for the following relief(s):-

“That this application is being filed on behalf of the petitioner with a prayer interalia to issue a writ in the nature of a writ of mandamus commanding upon the Respondent Bank to return the purchase amount of Rupees 1.25 crore along with interest, cost and expenses over the said amount including compensation if any, until the final payment which was deposited by her in the auction sale of the mortgaged properties held on 07th June 2011 in terms



of sale notice dated 04th May 2011 which the Bank sold the property consisting of the land and Building of Petrol Pump bearing Ward No. 17(old) 21 (New) Holding No. 174 (old) 215(New)

Tauzi No. 443 Khata no. 94, Khesra No. 145(M), 146 (M), Area 3 Kathas 5 Dhoors, Gola Bundh Road, P.S. Town & district Muzaffarpur against which an amount of 25% of the auction sale price was paid immediately and the balance of the amount was paid by her on 16th August 2011, in pursuance of which sale was confirmed and the sale certificate was issued on 17th August 2011 in her favour in terms of Rule 9(6) of the rules but, despite this, even after 8 years, the possession has not been handed over to the petitioner resulting severe financial loss to the petitioner or. alternatively to direct the respondent authority to give possession of property to the petitioner with immediate effect.”

On 12.12.2022, we had passed following order:-

“Despite repeated calls, none has entered appearance on behalf of the petitioner.

However, in the interest of justice, matter is adjourned.

List this case on 15th of December, 2022, in the category of "Order Matters"”.

Even today, despite repeated calls, none has entered appearance on behalf of the petitioner.



As such, the present petition stands dismissed for default.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2022
Transmission Date	

