

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21636 of 2019

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Binay Kumar Tiwary son of Late Ras Bihari Tiwary, resident of Mohalla-
Uma Nagar Chandwa More, Police Station- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Chairman, Dakshin Bihar Gramin Bank now Madhya Bihar Gramin Bank Head Office, Sondiha House, Katani Hill Road Gaya, District- Gaya.
2. The General Manager, Dakshin Bihar Gramin Bank now Madhya Bihar Gramin Bank, Head Office, Sondiha House, Katani Hill Road Gaya, District- Gaya.
3. The Regional Manager, Madhya Bihar Gramin Bank, the then Dakshin Bihar Gramin Bank, Regional Office, Shri Harkhen Kumar Jain Trust Bhavan, Harijee Ka Hata, Ara, Police Station- Ara Nawada, District- Bhojpur.
4. The Branch Manager, Madhya Bihar Gramin Bank, Branch Office situated at Chandwa More, Police Station- Ara Nawada, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate
For the Respondent/s : Mr.Suresh Pd Singh No.1, Advocate

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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):-

“(1) For issuance of an appropriate writ/order/direction aside the order/notice dated for setting 09.09.2019 vide letter No. 5058 (Annexure-2) issued from the Regional office of Dakshin Bihar Gramin Bank, situated at Sri Harkhen Kumar Jain Trust Bhavan, Hariji Ka Hata, Ara, District-Bhojpur by which the date of



auction of the land/house of the petitioner has been fixed as 14.10.2019 under the provision of Bank SURFAESI Act, 2008.

(11) For issuance of an appropriate writ seeking direction to the respondents to provide details of dues loan amount of the petitioner and also for granting some times to deposit the dues loan amount.

(iii) For any other relief or reliefs for which the petitioner is entitled in the facts and circumstances of the case.”

After the matter was heard for some time, finding the Court not in favour of the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the Tribunal/appropriate forum and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.



It stands clarified that all issues of fact and law are left open to be agitated before the competent authority.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

chn/-

AFR/NAFR	
CAV DATE	
Uploading Date	20.12.2022
Transmission Date	

