

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1025 of 2020

M/s Mahashakti Cement Industries Pvt. Ltd. having its Registered Office at Loha Patti Road, Ward No.16, P.S. and P.O. Madhubani District Madhubani through its Managing Director Bijay Kumar Pradhan aged about 51 years, Son of Late Bharat Pradhan, Male, Resident of Lohapatti Road, Ward No.16, P.S. and P.O. Madhubani, District- Madhubani.

... .. Petitioner/s

Versus

1. Bank of India through the Branch Manager, Madhubani Branch at Radha Market, Shankar Chowk, P.S. and P.O. Madhubani, District Madhubani.
2. Zonal Manager, Bank of India, Muzaffarpur Zone.
3. The State of Bihar through the Principal Secretary, Department of Environment and Forest, Govt. of Bihar, Patna.
4. The Bihar State Pollution Control Board, Parivesh Bhawan, Pataliputra Industrial Area, P.S. Pataliputra, District Patna.
5. The Principal Secretary, Industry Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate Mr. Shakti Suman Kumar, Advocate Ms. Maria Nazir, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, GP-14 Mr. Parijat Saurav, Advocate Mr. Ajay Kumar Sinha, Advocate Mr. Sanjay Singh Thakur, Advocate Mr. Baua Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-09-2022

Heard learned counsel for the parties.

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



- a. For issuance of a writ in the nature of certiorari for quashing the letter dated 31/05/16 issued by the respondent bank whereby and where under the loan account of the petitioner company was classified as Non performing asset and the petitioner company was directed to deposit the entire outstanding amount within 10 days as the same was issued in complete violation of the mandatory guidelines dated 17/03/16 issued by the Reserve Bank of India for revival and rehabilitation of Micro, Small and Medium Enterprises.
- b. Consequent upon the quashing of the aforesaid letter dated 31/05/16 all subsequent action of the bank including taking over notional possession of the mortgaged properties may be declared as illegal and inoperative.
- c. For issuance of a writ in the nature of mandamus commanding the respondent bank to forward the loan account to the Committee for Stressed Micro, Small and Medium Enterprises for suitable corrective action plan in accordance with guidelines dated 17/03/16.
- d. For any other relief/reliefs which may be deemed fit and proper by this Hon'ble Court.

Learned counsel for the petitioner seeks permission to withdraw the present petition.

Permission granted.

The instant petition stands disposed of as withdrawn.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	15.09.2022
Transmission Date	

