

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1644 of 2020

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Birendra Pratap Singh Son of Krishna Kumar Singh Resident of Village-
Bajitpur, P.O.- Sherghati, P.S.- Aamas, District- Gaya.

... .. Petitioner/s

Versus

1. The Dakshin Bihar Gramin Bank Through the Branch Manager, Branch-
Chandi Sthan, P.O.- Dariora, District- Gaya, 824211.
2. The Dakshin Bihar Gramin Bank Through the Authorised Manager,
Regional Office, Ramanuj Bhawan, 371A-Gaya, Colony, P.A., District-
Gaya, 823001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Advocate Mr. Satyendra Prasad Singh, Advocate Mr. Gaurav Prakash, Advocate Mr. Nikhil Singh, Advocate
For the Respondent/s	:	Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-09-2022

Heard learned counsel for the parties.

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

- I. That the present writ application is being filed in the nature of *Certiorari* for quashing the proclamation of symbolic possession notice dated 29.11.2019 by which the bank authorities particularly the The Dakshin Bihar Gramin Bank through the Authorised Manager (Respondent No. 2) has been pleased to



issue the notice for possession of the property on 29.11.2019 under sub section (4) of Section 13 of the SARFAESI Act read with Rule 8 of the Security Interest Enforcement Rules , 2002 ; on the ground that the property has not been valued by the bank authorities and by the authorizes officer as well as the in accordance with law as well as by the SARFAESI Acts or by the SARFAESI Rules.

- II. That the present application is being filed in the nature of mandamus for a direction to the respondent authorities specially the the Branch Manager, Chandi Sthan Branch, The Madhya Bihar Gramin Bank to re-value the property under the SARFEASI Act and SARFEASI Rules of the property of the petitioner bearing Khata No. 64, Plot No. 365, Area- 12.25 decimal at Mauza- Chapardah (Bajitpur), Thana No. - 442, P.S.- Amas, Dist- Gaya having Boundary in North- Rasta, South- Nij, East- Ramdev Singh, West- Bhubneshwar Singh.
- III. For any other relief/Reliefs for which the petitioner is entitled for

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	23.09.2022
Transmission Date	

