

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1724 of 2023

M/S Jai Hanuman Agrotech Private Limited at Madhaipur Vidyapatinagar, P.S.- Dalsinghsarai, District- Samastipur (Bihar) through its Director Ajeet Kumar, aged about 40 years (Male), Son of Sri Bishwanath Prasad, resident of Madhaipur Vidyapatinagar, P.S.- Dalsinghsarai, District- Samastipur (Bihar).

... .. Petitioner/s

Versus

1. The Canara Bank through its Chairman-cum-Managing Director, Naveen Complex, 14, M.G. Road, Bengaluru (Karnataka).
2. The Regional Manager, Canara Bank, Patna Regional Office, 2nd Floor Maurya Tower, Maurya Lok Complex, Patna- 800001.
3. The Recovery Senior Manager, Canara Bank, Patna Regional Office, 2nd Floor Maurya Tower, Maurya Lok Complex, Patna- 800001.
4. The Authorized Officer, Canara Bank, Patna Regional Office, 2nd Floor Maurya Tower, Maurya Lok Complex, Patna- 800001.
5. The Branch Manager, Canara Bank, Dalsinghsarai Branch, Tripit Sundar Complex, Gudari Road, Dalsinghsarai- 848114, District- Samastipur.
6. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna.
7. The District Magistrate, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Akshansh Ankit, Advocate.
For the Canara Bank	:	Mr. Ranjan Ghosarve, Advocate. Mr. Hasnain Haider, Law Officer.
For the State	:	Mr. Kumar Samarjeet Singh, AC to SC-21
For the Intervenor Respondent	:	Mr. Uma Shankar Prasad Singh (in person)

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-03-2023 Heard Mr. Akshansh Ankit, learned counsel appearing on behalf of the petitioner; Mr. Ranjan Ghosarve, learned counsel assisted by Mr. Hasnain Haider, Law Officer appearing on behalf of the Canara Bank; Mr. Kumar Samarjeet Singh, learned AC to SC-21 for the State and Mr. Uma Shankar Prasad Singh, learned counsel in person for the Intervenor



Respondent.

2. Learned counsel appearing on behalf of the Canara Bank assisted by Mr. Hasnain Haider, Law Officer has raised preliminary objection that the present writ petition is not maintainable in want of any statement made by the petitioner that he has duly been authorized to swear the affidavit by the Board of Directors of the Company. In support of said objection, learned counsel has referred the impugned order passed in S.A. No. 188 of 2022 (J) dated 21.12.2022 by which the learned Debts Recovery Tribunal, Patna has rejected the application filed by the petitioner under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

3. Mr. Akshansh Ankit, learned counsel appearing on behalf of the petitioner informs this Court that the petitioner was represented by learned senior counsel Mr. Ashok Kumar Choudhary and today he is not available to address before this Court. He, however, informs this Court that in light of the preliminary objection made by the respondent-Bank after seeking instruction from the petitioner-Mr. Ajit Kumar, who is one of the Directors of the petitioner's Company the petitioner seeks to withdraw the present writ petition with liberty to avail



appropriate remedy before the appropriate forum.

4. Considering the specific statement made on behalf of the petitioner, the writ petition stands dismissed as withdrawn.

(Purnendu Singh, J)

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