

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15176 of 2012

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Arun Kumar S/O Late Dhruvjee Prasad Partner Prakash Foundry Works At
P.O.- Thawe, District- Gopalganj, At Present- C/191, 3rd Floor, C/O Mr.
Nanda, Pandaw Nagar, Opp. Mother Dairy, Delhi-92

... .. Petitioner/s

Versus

1. The State of Bihar and Ors
2. The Bihar State Financial Corporation, Hardia More, District- Siwan - 841226
3. Bihar State Financial Corporation, Rajendra Nagar, Gopalganj
4. The Bihar State Financial Corporation, Saran Branch Chapra, West Of Municipal Chowk, Chapra
5. The Bihar State Financial Corporation, Frazer Road, Patna-1
6. The Bihar State Financial Corporation, Mazrul Haque Path, Patna-1
7. The Branch Manager, Bihar State Financial Corporation, Chapra
8. The District Magistrate, Chapra
9. The Superintendent Of Police, Chapra
10. The District Magistrate, Gopalganj
11. The Superintendent Of Police, Gopalganj
12. The Sub-Divisional Officer, Gopalganj
13. The Circle Officer, Thawe, Gopalganj
14. The Officer In Charge, P.S.- Thawe, District- Gopalganj
15. Sri Brijesh Mishra S/O Sri Jung Bahadur Mishra 104-Sachi Palace, Sahdeo Mahto Marg, Sri Krishnapuri, Patna-1

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vishwajeet Kumar Mishra, Advocate.
For the Respondent BSFC	:	Mr. Raju Giri, Advocate.
		Mr. Santosh Kumar Mishra, Advocate.
For the Respondent No.15	:	Mr. Nikhil Kumar Agrawal, Advocate.
For the Respondent State	:	Mr. Rajeev Kumar Sinha, AC to AAG-7

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

16 01-02-2023

Heard Mr. Vishwajeet Kumar Mishra, learned counsel



for the petitioner; Mr. Santosh Kumar Mishra, learned counsel for the respondent Bihar State Financial Corporation; Mr. Nikhil Kumar Agrawal, learned counsel for the respondent no.15 and Mr.Rajeev Kumar Sinha, learned AC to AAG-7 for the State.

2. The present writ application has been filed for the following reliefs:-

“A. That the petitioner further prays for issuance of an appropriate writ/order/direction upon the Respondents for giving the petitioner a chance to retain the mortgaged property on similar terms on which it has been auctioned if the properties has really been auctioned as the corporation is required to give such opportunity before sale.

B. That the petitioner further prays for issuance of any other appropriate writ/order/direction upon respondents to which he is found entitled to.”

3. It is submitted by the learned counsel for the petitioner that during the pendency of the writ application, the land in question has been sold in auction and now sale deed has also been executed in favour of respondent no.15. It is also submitted that in this regard a supplementary affidavit is being filed today and a copy of which has been served upon the learned counsel for the Bihar State Financial Corporation, the learned counsel for the respondent no.15 and the learned counsel for the State.



4. In view of the subsequent development, the learned counsel for the petitioner seeks permission to withdraw the present writ application with a liberty to move before a competent Civil Court for redressal of his grievance.

5. As prayed for, liberty is granted.

6. Accordingly, the present writ application stands disposed off with the aforesaid liberty.

(Ahsanuddin Amanullah, J)

(Harish Kumar, J)

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