

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25698 of 2019

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Tripurari Mishra Son of late Raghunath Mishra, Resident of Village- Misrauli,
P.O.- Chuhadi, P.S. Chanpatia, Distt. West Champaran, Bihar.

... .. Petitioner/s

Versus

1. Allahabad Bank through its Authorized Officer, Zonal Office, Om Shanti Complex, in front of Zila School, Ramna Muzaffarpur.
2. Branch Manager, Allahabad Bank, Bettiah Branch, Bettiah, West Champaran.
3. Raju Kumar Mishra, Son of alte Raghunath Mishra, Resident of Village- Misrauli, P.O.- Chuhadi, P.S. Chanpatia, District. West Champaran, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shiv Pratap, Advocate

For the Respondent/s : Mr. Dr. Binod Kumar Jha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-01-2023 Petitioner has prayed for the following relief(s):-

“That this is an application for issuance of a writ in the nature of Mandamus or any other appropriate writ(s)/ order(s)/ direction(s) commanding the respondents authority to stay E-auction notice dated 28.10.2019 issued by Allahabad Bank, Zonal Office, Muzaffarpur, u/s 13(4) of Securitization and Financial Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act),2002, and further be pleased to restraint the respondents authority not to put up on auction sale of petitioner's immovable property under Mauza-Pakrihar, and Mauza-



Siswania, PS & Anchal-Chanpatia, Dist.-West Champaran registered in the Sub-Registrar Office Bettiah and further be pleased to setting aside the entire process / actions in furtherance of provisions of section 13(4) of Securitization and Financial Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI Act), 2002 framed therewith as per the principle of natural justice. Further petitioner prays for any other incidental and consequential relief(s) for which petitioner can be entitled for.”

Learned counsel for the petitioner seeks permission to withdraw the present petition, for the same having rendered infructuous.

Permission granted.

The instant petition stands disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

shiv/Sujit

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