

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.685 of 2020

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Md. Noor Khan son of late Idarish Khan resident of Village Barheta Ganga
Ram Khan Tole, P.S. Hathauri, District Muzaffarpur.

... .. Petitioner/s

Versus

1. General Manager, State Bank of India Patna Main Branch Building Patna.
2. Assistant Genral Manager, State Bank of India, Patna Main Branch Building Patna.
3. Branch Manager, S.B.I. Bochaha Branch New Market Chowk, District-
Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Respondent(Bank)	:	Dr. Binod Bihari Sinha, Advocate
		Mr. Ajay Dutt Mishra, Advocate
		Mr. Amarjeet Chaudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-02-2023 Heard Mr. Arun Kumar, learned Counsel

appearing on behalf of the petitioner and Dr. Binod Bihari Sinha, learned Counsel appearing on behalf of the Respondent- State Bank of India.

2. Learned Counsel appearing on behalf of the Respondent- State Bank of India submitted that the borrower/guarantor (petitioner) had entered into a compromise with the Respondent (Bank) and deposited full compromise amount of Rs. 7,03,656/- on 25.11.2021 under the SBI RINN SAMADHAN SCHEME 2021/22, as such



there is no amount of dues is recoverable from the petitioner.

3. Mr. Ajay Dutt Mishra, learned Counsel appearing on behalf of the Respondent(Bank) has submitted a photocopy of order dated 24.12.2021 passed in MA No. 287 of 2021 in which the following orders have been passed:

“This Miscellaneous Application has been filed by applicant seeking permission to withdraw the RC No. 474 of 2016 in OA No. 192 of 2016.

It is stated therein therein that the matter has been compromised at Rs. 7,03,656/- and the said amount has been received by the applicant bank. This application is supported by an affidavit of Sri Shashi Ranjan Chaudhary S/o Shri Krishna Dev Chaudhary, Chief Manager, State Bank of India, SARB, Patna which substantiates the contents of the application. It is also supported by a copy of letter dated 25.11.2021 addressed to Dr. BB Sinha, Ld. Counsel for the applicant bank with instructions to withdraw the RC in question

Under the circumstances, the MA stands allowed the RC on 474 of 2016 is dismissed a withdrawn. No order as to costs. Original documents, if any lying with the Tribunal be returned to the applicant bank as per rule.

File be consigned to the record room.

A Copy of order be sent to the parties and Ld. Recovery Officer for necessary action.

Order be uploaded on the Tribunal's Website.”

4. In view of the above facts, the present writ petition needs no further adjudication.



5. Accordingly, the present writ petition is disposed of.

(Purnendu Singh, J)

Niraj/-
Nilmani/-

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