

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2658 of 2024
In
Civil Writ Jurisdiction Case No.9764 of 2021

Indian Overseas Bank through its Niraj Kumar, Branch Manager, Kankarbagh Branch, Patna, Gender- Male, aged about 40 years, Son of Late Umesh Chandra Singh.

... .. Petitioner/s

Versus

1. Bihar Real Estate Regulatory Authority, Bihar State Building Construction Corporation Building Hospital Road, Shastri Nagar, Patna-800023, Presently 2nd Floor, BSNL Bhawan Road No.-10, Patel Nagar, Patna.
2. Alok Kumar, S/o Sri Padum Singh (Guarantor), M/s Agrani Homes Pvt. Ltd., Resident of Alok Niwas, Yogipur, Chitragupta Nagar, Kankarbagh, Patna- 800020.
3. M/s Agrani Homes Pvt. Ltd., through its Director Alok Kumar, Regd. Office-15, Patliputra Colony, P.O. and P.S.-Patliputra, Patna- 800013.
4. Vijaya Raj Laxmi, Proprietor of M/s Indus Ventures, 114B, Yogipur, Chitragupt Nagar, Lohia Nagar, Patna- 800020.
5. Ruban Memorial Hospital, through its Director Smt. Bibha Singh, 19 Patliputra Colony, Patna- 800013.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Nandan Prasad, Adv.

For the Opposite Party/s : Mr. Jainandra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 20-08-2024 The present writ petition has been filed for seeking clarification of the order dated 26.06.2024 passed in CWJC No. 9764 of 2021.

2. Learned counsel appearing on behalf of the petitioner has stated that the original loan was disbursed in



favour of the Respondent No. 2, but the entire outstanding loan amount was cleared by the Respondent No. 5. Learned counsel has stated that though the Respondent No. 5 has cleared the loan amount, the loan stands in the name of the Respondent No. 2. Therefore, the No Objection Certificate can be issued only in the name of the Respondent No. 2. Learned counsel has, therefore, sought a clarification that the direction given by this Court in paragraph No. 5 of the order dated 26.06.2024 passed in CWJC No. 9764 of 2021 may be modified to the effect that the No Dues Certificate may be issued in favour of the Respondent No. 2 instead of in the name of Respondent No. 5.

3. Having regard to the above, the order dated 26.06.2024 is modified to the extent that No Objection Certificate be issued in the name of the Respondent No. 2., the rest of the orders shall remain same. The Respondent-Bank is directed to issue the copy of the No Objection Certificate to the Respondent No. 5, if any, authorization letter of the Respondent No. 2 is given in favour of the Respondent No. 5.

(A. Abhishek Reddy, J)

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