

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.442 of 2025

In
Civil Writ Jurisdiction Case No.12375 of 2023

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Vidya Bhushan Prasad S/o Shyam Sundar Prasad (Proprietor of M/s S.S. Agency) Resident of Shahpur, near Durga Mandir, Danapur-cum-Khagaul, Daudpur, Patna, Danapur, Bihar- 801502 ... Petitioner

Versus

1. The State of Bihar through its Chief Secretary.
2. The District Magistrate, Patna.
3. Punjab National Bank, through its Managing Director and Chief Executive Officer having its Head Office at 7 Bhikhaji Cama Place, new Delhi- 110167.
4. The Branch Manager, Punjab National Bank, Kankarbagh Branch, Patna.
5. The Recovery Officer II, Debts Recovery Tribunal, Karpuri Sadan, Ashiana Digha Road, Patna.
6. The SDO, Danapur, Danapur Cantonment, Danapur, Patna, Bihar- 801503.
7. The District Sub-Registrar, Danapur.
8. The Circle Officer, Danapur.
9. Mukesh Kumar, S/o Sri Rameshwar Prasad Gupta, Flat No. 03, Sushila Residency, West Lohanipur, Kadamkuan, Patna, Bihar- 800003.

... Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Prashant Bhushan, Adv.
For the UOI	:	Mr.Mithlesh Kumar Gupta, CGC
For the PNB	:	Mr. Mritunjay Kumar, Adv.

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

2 11-04-2025 Counsel for the petitioner has sated that this Court by order, dated 10.12.2024, has disposed of C.W.J.C. No. 12375 of 2023. Learned counsel has stated that this Court while declining to entertain the said Writ Petition has granted leave to the petitioner to challenge the sale notice or any other order before the appropriate forum as available under the Securitization and Reconstruction of Financial Assets and



Enforcement of Security Interest Act. Counsel has stated that the proceedings which were subject matter of the Writ Petition were under the “Debt Recovery and Bankruptcy Act, 1993” and therefore the order may be corrected to say that the petitioner is entitled to move the appropriate forum under the “Debt Recovery and Bankruptcy Act, 1993”.

2. Having regard to the same the order, dated 10.12.2024, passed in C.W.J.C. No. 12375 of 2023 is modified to the extent that in place of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act it be read as “Debt Recovery and Bankruptcy Act, 1993”.

3. The modification application stands disposed of.

(A. Abhishek Reddy , J)

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