

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13368 of 2009

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M/S Civmil Industries Pvt.Ltd. S/O Late R.K.P.N.Singh R/O Prabhat Kunj,
Patliputra Colony, P.O And P.S- Patliputra, Patna-800013

... .. Petitioner/s

Versus

1. State Bank Of India Through Its Chief General Manager, Zonal Office, Gandhi Maidan, Patna-800001
2. State Bank Of India Rehabilitation And Recovery Branch Code- 4443 Through Its Assistant General Manager, 2nd Floor, Patna Main Branch, Gandhi Maidan, Patna-800001
3. The Assistant General Manager-Cum-Authorised Officer Rehabilitation And Recovery Branch, State Bank Of India, Gandhi Maidan, Patna-800001
4. The Deputy General Manager Commercial Banking Department, Gandhi Maidan, Patna-800001
5. The Chief General Manager State Bank Of India, Commercial Branch, Patliputra-800013

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8752 of 2012

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1. M/S Civmil Industries Pvt.Ltd. Addressregistered Office At 1/1, Industrial Estate, P.O./P.S.-Patliputra, Patna-800013 Represented Through Its Managing Director, Dr. Ravindra Kumar Watsa, S/O Late Ram Krishna Prasad Narayan Singh
2. Dr. Ravindra Kumar Watsa S/O Late Ram Krishna Prasad Narayan Singh R/O Awadh Niwas, Parbat Kunj, North Patliputra Colony, P.S.-Patliputra, Town And District-Patna-800013

... .. Petitioner/s

Versus

1. State Bank Of India, 2nd Floor, Main Branch Building, West Of Gandhi Maidan, Patna-800001
2. Smt. Kishori Singh Wife Of Shri S.N. Singh Resident Of Mohalla, P.O. And P.S. Chetganj, District Varanasi, Uttar Pradesh
3. Shri Bhushan Singh Son Of Late Radha Krishna Prasad Naeayan Singh Resident Of Village Paroria, P.S.-Dalsingsarai, District Samastipur
4. Birendra Kumar Singh Son Of Late Ram Krishna Prasad Narayan Singh Resident Of
5. Smt. Nisha Singh Wife Of Shri Ravindra Kumar Watsa Resident Of 'Awadh Niwas', Parvat Kunj, North Patliputra Colony, Patna-800013
6. Shri Aditya Pratap Rai Son Of Late V.P. Rai Resident Of 13, Dda Flat, Golmohar Enclave, New Delhi



7. Shri Abhishek Pratap Rai Son Of Late V.P. Rai Resident Of 13, Dda Flat, Golmohar Enclave, New Delhi
8. Bihar State Financial Corporation Through Its Managing Director Having Its Head Office At Frazer Roa
9. Bihar State Credit and Investment Corporation Through Its Managing Director Having Its Office At 'I

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 13368 of 2009)

For the Petitioner/s	:	Mr. Vikas Kumar, Advocate
For the Respondent/s	:	Mr. Kaushlendra Kr. Sinha, Advocate
	:	Mr Anant Kumar Sharan, Advocate
	:	Mr. Prabhat Kumar Sharan, Advocate
	:	Mr. Hemant Kumar Sharan, Advocate

(In Civil Writ Jurisdiction Case No. 8752 of 2012)

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mr. Kaushlendra Kr. Sinha, Advocate
	:	Mr Anant Kumar Sharan, Advocate
	:	Mr. Prabhat Kumar Sharan, Advocate
	:	Mr. Hemant Kumar Sharan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

12 13-11-2025

Heard the parties.

2. Both the writ petitions have been preferred for the grant of following relief(s):

“(I) for issuance of appropriate writ/order quashing order dt. 17.09.2009 (Annex. '15) passed by Debts Recovery Tribunal, Patna, hereinafter referred to as "tribunal", in Serfaesi Appeal No. 01 of 2008 whereby the learned "tribunal" upholding the action of Respondents U/S 13(4) of the Securitisation and Reconstruction of Financial Assets and



Enforcement of Security Interest Act, 2002, hereinafter referred to as "SARFAESI Act", dismissed the aforesaid appeal of Petitioner Company.

(II) (i) for issuance of a writ in the nature of certiorari for quashing of the judgment and certificate dated 01.12.2011 (Annexure-6) passed in O.A. No.-63 of 2002 by Ld. Presiding Officer of Debts Recovery Tribunal (hereinafter called DRT), Bihar, Patna.

(ii) for issuance of a writ in the nature of mandamus directing the respondent Bank to render statement of account for the period 01.04.1993 to 28.08.1995.

(iii) for holding that judgment & certificate dated 01.12.2011 passed/issued in O.A. No.-63 of 2002 in absence of statement of account for the period in question and resolution of accounting disputes between the parties is ab initio unjust and arbitrary.

(iv) for holding that the respondent Bank has consistently and flagrantly violated not



only the directions dated 20.06.2003 and 22.09.2011 of Learned Sub-Judge, Patna passed in T.S. No.-298 of 2002 but has also with impunity followed in breach the order dated 05.11.2007 passed in CWJC No.-13368 of 2007 by Hon'ble High Court for rendition of statement of account for proper adjudication of the accounting disputes between the parties.

(v) for any other reliefs for which the petitioner may be entitled in the facts and circumstances of this case.”

3. Mr. Vikash Kumar, learned counsel for the petitioner in the presence of learned counsel representing the respondents submits that he may be permitted to withdraw the petition.

4. Accordingly, the writ petitions stand dismissed as withdrawn.

(Rajiv Roy, J)

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