

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9355 of 2026

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Kunti Devi, W/o Sahdeo Das, D/o Late Dileshwar Poddar, R/o Shivpuri, Ward
No. 14, Saharsa, Bihar – 852201.

... .. Petitioner/s

Versus

1. The State of Bihar, Through the District Magistrate, Saharsa, Bihar.
2. The Circle Officer, The Bank of Baroda at Darbhanga.
3. The Bank of Baroda Through its Chairman having its registered office at Baroda Bhawan, 7th Floor, R.C. Dutt Road, Vadodara.
4. The Chairman, Bank of Baroda having its registered office at Baroda Bhawan, 7th Floor, R.C. Dutt Road, Vadodara.
5. The Branch Manager, Bank of Baroda, Branch Office VIP Road, Saharsa, Bihar-852201.
6. Rekha Devi, W/o Bijay Poddar R/o Koshi Steel Industries, Koshi Road, Gautam Nagar, Gangjala, Ward No. 11, Saharsa, Bihar.
7. Bijay Poddar, S/o Dileshwar Poddar R/o Koshi Steel Industries, Koshi Road, Gautam Nagar, Gangjala, Ward No. 11, Saharsa, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the State	:	Mr. Government Advocate (5)
For the Respondent/s	:	Mr. Sanjeev Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH

ORAL ORDER

2 01-07-2026

1. Heard the parties.

2. At the very outset, learned counsel for the petitioner seeks permission of this Court to withdraw this writ application with liberty to avail the remedy available to her under Section

17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act') before the appropriate authority within the period of two weeks henceforth.

3. The petitioner apprehends dispossession from the respondent-Bank which has acquired right over the suit property on the strength of order passed by the competent authority under the SARFAESI Act.

4. The petitioner may file an application along with the memo of appeal under Section 17 of the SARFAESI Act for an interim order protecting her from being dispossessed from the suit land or the house in question till disposal of that interim application by the competent/adjudicating authority as mandated under Section 17 of the SARFAESI Act.

5. It is expected that the authority who is empowered under Section 17 of the SARFAESI Act to consider such an application will expeditiously dispose off such interim application for interim stay, on merit without being prejudiced by any observation of this Court in this order and that too after having heard all the parties concerned including the Bank which has now acquired right over the suit property.

6. Thus, this writ application is disposed off in the

aforesaid terms.

7. Interlocutory application(s), if any, also stand/s
disposed off accordingly.

(Rana Vikram Singh, J)

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