

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

W.P.(C) No. 3655 of 2022

Manmatia Devi

..... Petitioner

Versus

1. The Recovery Officer, Debts Recovery Tribunal, Ranchi

2. Central Bank of India, through its Branch Manager, Piska More Branch, Ranchi

..... Respondents

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**CORAM**

**HON'BLE MR. JUSTICE RAJESH SHANKAR**

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For the Petitioner:

Mr. Nilesh Kumar

For the Respondents:

Mr. P. S. A. S. Pati

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03/12.08.2022

The present writ petition has been filed for issuance of direction upon the concerned respondents not to continue with the auction process and also to restrain them from taking possession of the property in question in connection with O.A. Case No. 172/2013 as the entire proceeding initiated by the Debts Recovery Tribunal, Ranchi as well as the respondent No.1 is ex-parte, due to which, the house property of the petitioner has been auctioned, who is a poor old lady and is alleged to be a mortgagor-guarantor of the loan taken by M/s Sanjay Kumar, a proprietorship concern having its office at Goshala Chowk, P.S-Kotwali, District-Ranchi.

Mr. Nilesh Kumar, learned counsel for the petitioner, in course of argument, submits that since the petitioner has already approached the respondent No.1 seeking protection against her dispossession from the property in question, he may be permitted to withdraw the present writ petition with a liberty to the petitioner to press the said application before the respondent No.1.

Mr. P. S. A. S. Pati, learned counsel for the respondents, has got no objection to the said prayer.

Considering the said submission of learned counsel for the petitioner, the present writ petition is dismissed as withdrawn with the aforesaid liberty.

It is however observed that if the petitioner has already preferred an application before the respondent No.1 seeking protection against her dispossession from the property in question, the same shall be taken up and decided expeditiously by the said respondent in accordance with law, if not already disposed of.

Satish/-

(RAJESH SHANKAR, J)