

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16161 of 2008

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Arum Kumar Sinha, Son of Late Baidya Nath Prasad, Resident of Mohalla-Sukhankarpur, P.S. Darbhanga Town, District- Darbhanga at present resident in Flat no. M/6- 36 Road No.10, Rajendra Nagar, Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Registrar-cum-Trustee, Co-operative Societies, Bihar, Patna.
2. The Registrar-cum-Trustee, Co-operative Societies, Bihar, Patna.
3. The Bihar State Co-operative Development Bank Ltd., Budh Marg, Patna through its Chairman.
4. The Chairman, Bihar State Co-operative Land Development Bank Ltd., Budh Marg, Patna.
5. The Managing Director, Bihar State Co-operative Land Development Bank Ltd., Budh Marg, Patna.

.....Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 23-09-2015

Heard learned counsel for the parties.

The Court by its order dated 17.08.2015 had directed

for carrying out the exercise of reconciling the account in the presence of the petitioner and the Bank as well as the Credit Society. It appears that the petitioner did appear before the Bank and calculations were made but later on it is the stand of the Bank that neither the petitioner appeared nor cooperated in the matter. On the other hand, learned counsel for the petitioner submits that the payments made to the Credit Society have not been shown in the calculation chart and thus, according to him, the amount shown outstanding in his name, is erroneous.

Be that as it may, the Court cannot go into the aspect of accounting since it is a purely factual matter where the parties dispute entries.

In view of the aforesaid, the writ petition stands disposed off with liberty to the petitioner to move before the appropriate forum in accordance with law for adjudication on facts relating to the dues which the Bank claims against the petitioner *vis a vis* the amount that the petitioner claims due from the Bank.

(Ahsanuddin Amanullah, J)

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