

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3242 of 2015

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1. Surendra Kumar Singh, son of late Harbansh Narain Singh,
2. Sangita Singh, Wife of Surendra Kumar Singh,
3. Draupadi Devi, wife of Harbansh Narain Singh
All residents of Mohalla – Dhanpura, P.S. Ara, District- Bhojpur, at present
residing at 401, Laxmi Apartment, Rai Ram Briksha Path, Nehru Nagar, P.S.
Patliputra, District- Patna-13

.... Petitioners

Versus

1. The State Bank of India, a Body Corporate, constituted under State Bank of
India Act, 1955, having its corporate centre at Madam Cama Road, Nariman
Point, Mumbai-400021 and its local Head Office at Gandhi Maidan, Patna-
80001 and amongst one of its branches known as State Bank of India, Ara
Branch, Bhojpur represented by Assistant General Manager,
2. The Assistant General Manager, State Bank of India, Ara Branch, District,
Bhojpur

.... Respondents

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Appearance :

For the Petitioner s : Mr. Mahesh Nr. Parbat, Sr. Advocate
Mr. Sanjiv Sharan, Advocate
For the Bank : Mr. Mukund Jee, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 26-02-2015

Heard Mr. Mahesh Nr. Parbat, learned Sr. counsel for the
petitioners and Mr. Mukund Jee, learned counsel for the State Bank of
India.

Petitioners' grievance is that after payment of part of the
due amount now admittedly only Rs.5,52,357.68/- remains to be paid
by them. However, the petitioners want to seek benefit by waiver of
30% of the said amount under the OTS Scheme which has been
appended as Annexure 3 and in which the last date for making

appropriate application is 28th February, 2015 but the petitioners are not being allowed to avail that benefit.

In view of short issue having been raised by the petitioners, this writ application is being disposed of with a direction to the Bank to accept the deposit by the petitioners on or before 28th February, 2015 and then take a decision in accordance with law as to whether the petitioners are entitled for such benefit under OTS Scheme or not. In case the petitioners are entitled for such benefit then that should be given to them and in case the Bank authorities come to the conclusion that the entire due amount is to be paid by the petitioners as they would not be covered under OTS Scheme then either the petitioners will pay the same or the Bank would be at liberty to recover the said amount in accordance with law. The decision taken by the authorities should be speaking one and it should be immediately communicated to the petitioners.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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