

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.551 of 2014

Dr. Mubiba Najeeb, daughter of Md. Najeeb Ahmad, resident of village- Chaudhary Mohalla, near Chaudhary Masjid, P.S- Katihar, District- Katihar.

.... Petitioner

Versus

1. The Union of India through the Ministry of Human Resources Development, Government of India, New Delhi.
2. The Ministry of Human Resources Development, (Department of Higher Education), Govt. of India, New Delhi.
3. The State Bank of India through its Chairman Mumbai.
4. The Regional Manager S.B.I Regional Office, S.B.I., Purnia.
5. The State Bank of India Branch, Katihar Bazar, through its Branch Manager Katihar Bazar, Katihar.
6. The Manager, S.B.I., Branch Katihar Bazar, District- Katihar.

.... Respondents

Appearance :

For the Petitioner : Mr. Onkar Nath, Advocate

For the Respondents : Mr. Binod Bihari Sinha, Advocate

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 06-02-2015

The petitioner seeks direction to the respondent State Bank of India Branch, Katihar Bazar, District- Katihar to waive the entire interest as charged and realized in the Educational loan account in light of the decision contained in Annexure-2 which indicates that he, being a member of the economically weaker Section, would be entitled for Government interest 100% subsidy scheme. Clause-3 of the aforesaid letter indicates that such subsidy is to be provided for the period of moratorium, i.e., course period plus one year or six months after getting job whichever is earlier.

Learned counsel for the petitioner submits that, ignoring such provision, interest has been charged from the petitioner even

before she joined the concerned job.

Learned counsel for the State Bank of India has submitted that the entire subsidy, after its release by the Central Government, has already been credited into the loan account of the petitioner and as such the grievance of the petitioner stands redressed. Learned counsel for the petitioner is not satisfied with the aforesaid statement.

In above view of the matter, this writ application is being disposed of granting liberty to the petitioner to approach the Branch Manager, who would be obliged to give details regarding the credit of subsidy interest into the loan account of the petitioner as this is not in a dispute that she is entitled for such subsidy.

If it is found that some amount is yet to be credited by the State Bank of India after its release by the Central Government, steps would be required to be taken within a reasonable period. That apart, if the petitioner requests that she is ready to clear the entire debt, let her approach the Branch Manager concerned by filing such application who will consider the same in accordance with law within a period of two weeks of its filing.

(Dr. Ravi Ranjan, J)

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