

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6106 of 2013

IN

Civil Writ Jurisdiction Case No. 7307 of 2006

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Jabeshwar Labh, S/O Sri Krishna Bihari Lal, aged about 63 years, At present residing of village- Kamalpur, P.S.- Pandul, District- Madhubani.

.... Petitioner/s

Versus

1. The Rajiv Kishore Dubey, Chairman Cum Managing Director, Canara Bank, Head Office 112, J.C.Road, Banglore.
2. A.K.Singh, Deputy General Manager, Canara Bank, Regional Office, Patna.
3. The Kaushlendra Jha, Divisional Manager (Grievance Cell), Canara Bank, Circle Office, Luv-Kush Tower IIIrd floor, Exhibition Raod, Patna.
4. Binay Kumar Sinha, Manager (loan), Canara Bank, Sough Gandhi Maidan, Patna.
5. Smt. Kriti Kiran, Company Secretary, Bihar State Power Holding Company Limited, Vidhut Bhawan, Bailey Road, Patna.
6. The Jaijee Ray, Deputy Director Accounts (Sect.), State Power holding Company Limited, Vidhut Bhawan, Bailey Road, Patna, Lalan Kumar, Lower Division Assistant Sec-5, South Bihar State Power Holding Company Limited, Vidhut Bhawan, Bailey Road, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Vijay Kumar Verma, Advocate.
For the Canara Bank : Mr. Ranjan Ghoshrave, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL JUDGMENT

Date: 13-02-2015

Heard the learned counsel for the petitioner and learned counsel appearing on behalf of the opposite party nos. 1 to 4.

The present contempt application has been filed for noncompliance of the order dated 06.03.2012 passed in C.W.J.C. No. 7307 of 2006, whereunder the aforesaid writ application was disposed of with a liberty to the petitioner to approach the Divisional Manager (Grievance Cell) of the Canara Bank, Patna, along with an application giving details of his claims with respect



to the aforesaid amount of interest. If such an application is filed by the petitioner along with a copy of this order within 15 days from today, the said authority shall consider the same in accordance with law and shall decide it by a speaking order within two months thereafter. However, if any amount of interest is found to be payable, it should be paid to the petitioner immediately thereafter.

Learned counsel for the State submits that in compliance of the order under contempt, the representation of the petitioner has been disposed of by the Divisional Manager (Grievance Cell) of the Canara Bank, Patna (O.P. No. 3) rejecting the claim of the petitioner by reasoned order and the same was also communicated to the petitioner through registered post, which would appear from paragraph 6 of the supplementary show cause filed on behalf of the opposite party no. 3.

Learned counsel for the petitioner submits that without giving the notice to the petitioner the Bank had debited the amount from the account of the petitioner as one Lallan Kumar was borrowed the loan from Canara Bank for which the petitioner was the guarantor, which is illegal and not in accordance with law. It is also submitted that moreover the order has been passed on 12.01.2015 (annexure C to the supplementary show cause) is later on deciding the claim of the petitioner which is not within

the time stipulated under the order of contempt.

Since the direction, under contempt, has been complied with, therefore, no action is required. If the petitioner feels any grievance, he may take recourse in accordance with law before the appropriate forum. Accordingly, this contempt application is disposed of.

(Rajendra Kumar Mishra, J)

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