

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12159 of 2010

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Aurangabad Central Co-Operative Bank Ltd. Aurangabad, through its
Managing Director, namely, Sharvan Kumar , S/O Late Abhimanyu Singh,
R/O Vill Narottampur, P.S.Karzara, Distt-Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Legal Services Authority, through its secretary in front of
Patna Museum, Budha Marg, Patna
3. District Legal Services Authority, Aurangabad through its Secretary,
Aurangabad
4. Dhirendra Kumar Singh, C/O Ram Bachan Singh, R/O Vill Pachokhar,
P.S.Deo, Distt-Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Prasad Singh
For the State : Mrs. Archana Prasad, AC to SC-16
For the Respondent no.4: Mr.Shailesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 02-03-2015 Heard the parties.

The petitioner, a Central Co-operative Bank Ltd., has
filed the present writ petition under Article 226 of the Constitution
of India assailing the validity and correctness of the order dated
23.06.2010 (Annexure-5) passed by the Permanent Lok Adalat,
Aurangabad, whereby the prayer of the respondent no.4 for
settlement of loan account with the petitioner-Bank has been
allowed. By the aforesaid order, the respondent no.4 has been
directed to pay the entire principal amount of the petitioner-Bank
within a period of 20 days along with 25% interest. Remaining
75% of the interest has been waived. The grievance of the
petitioner is that waiving of 75% interest is not proper and is
excessive.

In the whole writ petition, it has not been stated

anywhere that mandatory provisions of Section 22-C of the Legal Services Authority Act, 1987 was violated by the Permanent Lok Adalat, Aurangabad while passing the impugned order settling the dispute between the petitioner and the respondent no.4.

Learned counsel appearing on behalf of the respondent no.4 submits that, pursuant to the impugned order dated 23.06.2010, the respondent no.4 has paid the entire principal amount as also 25% interest amount.

In above view of the matter, this Court does not find any good ground to interfere with the impugned order dated 23.06.2010 (Annexure-5).

Consequently, the writ petition has to fail and is, accordingly, dismissed. However, the parties are left to bear their own cost.

(Birendra Prasad Verma, J)

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