

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12133 of 2011

=====

1. Gopal Sharan Singh Late Prahlad Singh Village-Bahadurpur, P.S-Sare, District-Nalanda,

.... Petitioner/s

Versus

1. The State Bank Of India Through The Zonal Manager, Patna Zone, Patna.
2. The Regional Manager, State Bank Of India, Patna Region, Patna.
3. The Branch Manager, State Bank Of India, Branch Officer Bazar Branch, Near Cinema Hall, At Bihar Sharif, District-Nalanda.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. PANKAJ KUMAR

For the Respondent/s : Mr. KAUSHLENDRA KUMAR SINHA

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL

ORAL JUDGMENT

Date: 24-11-2015

Heard the Counsel for the petitioner and Mr. Kaushlendra Kumar Sinha for the respondent Bank.

Petitioner along with his two brothers hired a locker with the respondent Bank. Dispute between the brothers arose. The locker, according to the petitioner, was last operated on 5.1.1983. In 2008, an application under Right to Information Act was filed for providing details of the person who operated the locker. On the basis of available record, the Bank supplied information which did not satisfy the petitioner. The matter was brought before the first Appellate Authority. The Appellate Authority having found the information supplied to the petitioner adequate did not grant any further relief and disposed of the matter on 11.9.2009 (Annexure-2). Aggrieved

thereby, an application was preferred before the Central Information Commission. The Commission after hearing both sides disposed of the application observing as under in paragraph nos. 3 and 4:-

“3. During the hearing, it was submitted on behalf of the respondents that through COIO’s reply dated 08.07.2009, all available information has been provided to the appellant. It was urged that no document, except for a locker card, was available in regard to the events which took place between 1975 and 1992. The informant so far given to the appellant was based upon that locker card. No other query could be answered as the file was not traceable, being very old and perhaps misplaced or lost during the lapse of time, or due to the several change in the premises of the Market Branch, Bihar Sharif of SBI.

4. This matter is decidedly pretty old and it is not surprising that all documents relating to it, except the locker card, are not found despite a search. I do not see any purpose being served by continuing the search for these documents given the age and the distinct possibility that they had been lost or misplaced.”

Nearly 10 months thereafter, the writ petition has been filed.

Considering the factual matrix of the case, I am not satisfied that any further relief can be granted to the petitioner by invocation of extraordinary and discretionary writ jurisdiction. It is brought to the notice of the Court that a suit is pending between the brothers.

Having held so, the application is dismissed.

(Kishore Kumar Mandal, J)

Pankaj/-

U			
---	--	--	--