

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17009 of 2009

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Ram Yatan Singh, S/O Late Thakur Singh, R./O Vill- Sonsa, P.O-Sinhin,
P.S- Hisua, Distt- Nawadah

.... Petitioner/s

Versus

1. The Regional Manager, Punjab National Bank, Ram Chandarpur, Bihar Shariff, Nalanda (Bihar)
2. The Branch Manager, Punjab National Bank, Branch Bhadseni, Distt- Nawadah

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Atif Imam
		Mr. Deepak Kumar Singh
For the Respondent/s	:	Mr. Sharad Kumar Sinha
		Mr. Amit Kumar Anand

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 05-02-2015 Heard the parties.

The petitioner has filed the present writ petition seeking a direction to the Punjab National Bank and its functionaries for accepting his claim for waiver of the entire agricultural loan taken by him from the Bank for the purpose of purchase of the tractor in the year 2004.

Learned counsel appearing on behalf of the petitioner submits that the Central Government made an announcement in its budget for the year 2008-09 that loans taken by the marginal and small farmers for the agricultural purposes shall be waived, but despite demand made by the petitioner the Bank is not granting him the benefits of the aforesaid decision of the Central Government. It is also pointed out that for grant of benefits of the aforesaid scheme of the Central Government, the petitioner filed his representation before the respondent no.1, yet the same has not been considered and Bank is pressurizing him to pay the entire

loan amount. A copy of the representation filed by the petitioner to the respondent no.1 has been brought on record as Annexure-4.

Though, this writ petition was filed on 04.12.2009, but till date the counter affidavit has not been filed on behalf of the respondents controverting the claims raised on behalf of the petitioner.

In the aforesaid factual matrix particularly in view of the fact that the claim of the petitioner has not been decided by the Bank or any other competent authority, this Court is of the opinion that, instead of keeping this writ petition pending before this Court any longer, interest of justice shall be sub-served, if the petitioner is granted liberty to file a fresh comprehensive representation with all supporting documents before the respondent no.1, raising all the pleas, which have been raised in the present writ petition. It is ordered accordingly.

If such a comprehensive representation is filed by the petitioner within a period of four weeks from today with a certified copy of the present order, then the respondent no.1 either himself or any other competent authority of the Punjab National Bank shall be obliged to consider and decide the claims raised on behalf of the petitioner strictly in accordance with law by a reasoned and speaking order at an early date preferably within a period of three months from the date of filing of such comprehensive representation by the petitioner.

If on consideration of the materials, the competent authority of the Punjab National Bank comes to a conclusion that the claims raised on behalf of the petitioner are admissible to him, then the consequential benefits shall also be granted to him without any unnecessary further delay.

It is clarified that in view of non-filing of the counter affidavit by the respondents, this Court has not gone into the merits of the claims of the petitioner and the same is left to be decided by the competent authority strictly in accordance with law.

The writ petition stands finally disposed of with the observations and directions made above.

(Birendra Prasad Verma, J)

Arvind/-

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