

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.970 of 2011

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Ram Bachchan Singh son of Late Raghubansh Singh, resident of village
Ghateya, P.O. Auraiya, P.S.Kudra, District Kaimur (Bhabhua)

.... Petitioner/s

Versus

1. The State Bank of India through the Regional Manager, SBI, Gandhi
Maidan, Patna
2. The Branch Manager, State Bank of India, Agriculture (Development
Branch) Department, Branch, Bhabhua, District Kaimur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mishra, Advocate

For the Respondent/s : Mr. Kaushlendra Kumar Sinha, Advocate

Mr.Sunil Kr.Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 15-05-2015

In compliance of the order dated 08.05.2015, Sri Rajiv Kumar, the Regional Manager, State Bank of India, Regional Business Office, Arrah is in appearance in person with his supplementary show cause, which is taken on the record.

In the aforesaid supplementary show cause, it has been averred that only 20 writ petitions concerning different Branches of State Bank of India under this region are pending before this Court. It has further been claimed that in view of efforts made by the Regional Manager, counter affidavits have been filed in almost all the pending matter excepting two. It has also been stated that efforts are being made to file the counter affidavit in those two matters also.

In view of the averments made in the aforesaid supplementary show cause, further personal appearance of the Regional Manager is dispensed with. It is expected that the undertaking given in the supplementary show cause shall be carried out in its letter and spirit.

Coming to the merits of the writ petition, this Court finds that the petitioner has filed the present writ petition seeking a direction to the respondents to provide the details of actual outstanding loan amount against the petitioner so that the efforts are made to liquidate the outstanding loan amount of the respondent -State Bank of India.

Learned counsel appearing on behalf of the petitioner submits that during pendency of the writ petition, a settlement has been arrived at between the petitioner and the respondent Branch Manager of the State Bank of India (respondent no.2).

However, the matter is contested by the learned counsel appearing on behalf of the respondents. By referring to the averments made in the counter affidavit filed on behalf the respondent- State Bank of India, it is submitted that the petitioner has not liquidated the outstanding dues of the Bank amounting to Rs.1,20,530/- as it was standing on 26th June, 2010. According to him, settlement has not been arrived at between the petitioner and the respondent Bank.

In above view of the matter, the petitioner is directed to appear before the respondent no.2 within a period of one month from today with a certified copy of the present order, whereafter, the respondent no.2 shall be obliged to provide full written details of the outstanding dues as against the petitioner of the loan amount including the interest amount till the date of issuance of that details. On issuance of written details, if the petitioner feels aggrieved, then he shall be at liberty to approach the appropriate forum/court for redressal of his valid grievances, or the respondent no.2 shall grant him reasonable time to pay back the entire loan amount. However, if the petitioner fails to liquidate the entire loan

amount including the interest within the time granted by respondent no.2 or by any other competent authority, then the respondent-Bank shall be at liberty to take legal action against the petitioner for recovery of the outstanding loan amount.

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

(Birendra Prasad Verma, J)

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