IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 11385 of 2012

==

Narayan Prasad Singh Son of Late Bajrangi Prasad Singh, Resident of Mohalla- Lakaridhahi, Chandwara, Pakkisaray, P.S.- Nagar, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The Chairman, Uttar Bihar Kshetriya Gramin Bank, Sharma Complex, Kalambag Road, Muzaffarpur.
2. General Manager, Uttar Bihar Kshetriya Gramin Bank, Sharma Complex Kalambag Road, Muzaffarpur.
3. Personal Officer, Uttar Bihar Kshetriya Gramin Bank, Sharma Complex Kalambag Road, Muzaffarpur.
4. Regional Manager, Regional Office, at Uttar Bihar Kshetriya Gramin Bank Near Mehsaul Chowk, Petrol Pump, Sitamarhi.
5. Branch Manager, Branch Office at Balha Madhusudan, Uttar Bihar Kshetriya Gramin Bank, P.O. Balha, Madhusudan, Via- Pupri, District- Sitamarhi, Bihar.

.... Respondent/s

==

Appearance :

For the Petitioner/s	:	Mr. Ram Naresh Singh, Advocate.
For the Respondent/s	:	Mr. Prabhakar Jha, Advocate.

==

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 27-10-2015

Heard learned counsel for the parties.

It appears that now the admitted dues of the petitioner, as per the respondent Bank, have been paid.

Learned counsel for the petitioner submits that though he retired in the year 2008 but payments have been paid in the year 2010 and that too after deducting an amount of Rs. 1,15,000/- and odd on account of difference in reconciliation together with interest of 14.5% till the date of payment i.e., in the year 2010.

Learned counsel for the Bank submits that the reconciliation of accounts not having been done by the petitioner of his branch at the relevant period when he was posted as Branch Manager has been subjected to 14.5% interest which is charged from every person irrespective of whether he is an employee or customer.

Learned counsel for the petitioner submits that even with regard to reconciliation, he has not been afforded an opportunity to contest or show to the Bank that such reconciliation showing outstanding against the petitioner may be erroneous.

Having considered the rival contentions, the writ petition stands disposed off with a direction to the respondent Bank to recalculate the amount outstanding against the petitioner pursuant to reconciliation and charging interest only till the date of his superannuation and not beyond. Further, the petitioner shall be entitled to the same rate of interest which has been charged against him i.e., 14.5% from the date of his superannuation till the date of actual payment made to him. The Court further grants liberty to the petitioner to approach the respondents no. 2 and 5 within one month from today along with a copy of this order for giving him an opportunity to explain the amount which has been shown outstanding against him on account of reconciliation. If the petitioner approaches the concerned respondents, he shall be given an opportunity and shall also be allowed to go through the official records of the concerned Branch so that he may be able to explain the amount shown outstanding in his name. If it is found that the contention of the petitioner is correct, the amount which has been held back or adjusted shall also be paid to him along with 14.5% interest within two months thereafter.

(Ahsanuddin Amanullah, J.)

P. Kumar

U		T	