

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20285 of 2012

=====

Mostt. Sushila Devi W/O Late Dinanath Prasad R/O Village- Karnamepur, P.S-
Shahpur, Distt- Bhojpur (Ara)

.... Petitioner

Versus

1. The State of Bihar through D.M. Arrah
2. Chairman, Madhya Bihar Gramin Bank, Head Office Mina Plaza, South of Patna Museum
3. Regional Manager, Madhya Bihar Gramin Bank, Ara Hariji Ka Haata, Harkhan Kumar Jain Dharmshala, Ara Bhojpur, Distt- Bhojpur.
4. Branch Manager, Madhya Bihar Gramin Bank Karnamepur, P.S- Shapur, District- Bhojpur (Ara)

.... Respondents

=====

Appearance:

For the Petitioner	:	Mr. Shiopujan Singh, Advocate Mr. Mukesh Kumar Singh, Advocate
For the State	:	Mr. Yogendra Prasad. Sinha AAG 07 Mr. Rajeev Kumar Sinha AC to AAG 07
For the Bank	:	None

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-10-2016

Heard learned counsel for the petitioner and learned counsel
for the respondent State.

2. The present writ petition has been filed in connection with
recovery of the outstanding amount of loan in the C.C. Account No.
8700000042 sought to be made by the respondent bank.

3. Learned counsel for the petitioner submits that the loan in
question was taken by the petitioner's husband during his life time for
carrying on business. Pursuant to the death of her husband on
30.01.2012 the petitioner fell on hard times and found herself unable to
repay the outstanding amount of loan pertaining to her late husband. It
is claimed that a compromise was arrived at with the bank for a total

amount of Rs. 1,45,000/- against which an amount of Rs. 55,000/- has been paid by the petitioner's late husband, leaving an outstanding amount of Rs. 90,000/- to be repaid.

4. It has been submitted that owing to extreme financial stringency, the petitioner is unable to repay the outstanding amount and had accordingly approached the respondent bank with a representation despatched through registered post on 17.03.2012 before the bank authorities (Annexure-4) for sympathetic consideration of her case.

5. None appears on behalf of the bank nor any counter affidavit has been filed on its behalf despite opportunities granted by this Court by orders dated 26.11. 2012 and 25.02.2013.

6. Having regard to the nature of the relief sought and in the interest of justice, the writ petition is disposed of with a direction to the Regional Manager, Madhya Bihar Gramin Bank, Ara, Hariji Ka Haata, Harkhan Kumar Jain Dharmshala, Ara Bhojpur, Distt- Bhojpur (respondent no. 3) to consider the representation of the petitioner (Annexure-4), if still pending, and dispose of the same sympathetically after grant of an opportunity of hearing to the petitioner, expeditiously and in any event within a period of four weeks from the date of receipt/production of a copy of this judgment.

Chandran/BT

U			
---	--	--	--

(Vikash Jain, J)