

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13994 of 2016

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Subodh Kumar son of Shri Lal Babu Rai resident of House no. 4 A/21,
Jagdamaba Path, North S.K. Puri, P.S. S.K. Puri, District Patna

.... Petitioner/s

Versus

1. The State Bank of India through its General Manager, Retail Assets Central Processing Centre, 1st Floor, Patna Main Branch, Gandhi Maidan, P.S. Gandhi Maidan, Patna
2. The Assistant General Manager, State Bank of India, Retail Assets Central Processing Centre, 1st Floor, Patna Main Branch, Gandhi Maidan, P.S. Gandhi Maidan, Patna.
3. The Branch Manager, State Bank of India, Judges Court Road, P.S. Gandhi Maidan, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Respondent/s : Mr. Kaushlendra Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

4 23-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State Bank of India.

The writ application has been filed for quashing the letter dated 10.08.2016, by which the respondent-bank informed the petitioner that his vehicle has been repossessed due to non payment of the dues and further directed to pay the entire dues of the vehicle loan account.

The details are not required to be gone into, as learned counsel for the petitioner informs that the petitioner, during the pendency of the writ application, has regularized his vehicle loan



account by depositing the over due instalments along with interest and it is submitted that there is another vehicle loan in the name of the wife of the petitioner, who is also the co-borrower in the loan account in which also there are some dues but that account has also been regularized to a substantial extent, except a further amount of Rs. 7,785/- required to be paid for full regularization of the said loan account.

It is submitted by learned counsel for the State Bank of India that upon the deposit of the said amount, the Bank shall not proceed further in the matter against the petitioner, provided the petitioner shall maintain discipline in the matter of depositing the instalments in the future.

Learned counsel for the petitioner submits that the said amount of Rs.7,785/- shall be deposited in the course of the day itself and he further submits that the petitioner shall be regular in the deposit of the instalment which, according to learned counsel for the petitioner, the petitioner was earlier paying regularly but on account of kidney ailment, he had to go for treatment to Christian Medical College, Vellore and, therefore, the loan account became irregular.

The writ application is, accordingly, disposed of with the direction that upon depositing the amount of Rs.7,785/- in the loan

account of the wife of the petitioner, the respondent-Bank shall forthwith hand over the possession of the vehicle bearing registration No.BR01PB 6293 to the petitioner. The petitioner is warned to be careful in the matter of repaying the instalments in the future.

Learned counsel for the State Bank of India shall inform the Bank about the present order so that upon the petitioner showing receipt of deposit of the said amount, the vehicle in question is released forthwith without waiting for the certified copy of the order.

(Ramesh Kumar Datta, J)

V.P.Sinha/-

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