

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.21048 of 2014

Vikas Path through its Secretary, Dharam Raj Roy, Son of Late Saudi Singh,
Resident of Village-Indpey, P.S.-Jamui, District-Jamui.

.... Petitioner/s

Versus

1. The Secretary, Banking, Department of Finance, Govt. of India at New Delhi.
2. General Manager, Reserve Bank of India, Regional Branch at South of Gandhi Maidan, Patna-800001
3. Chairman-cum-Managing Director, UCO Bank, 10, B.T.M Sarani, Barbourn Road, 7th floor, Kolkata (W.B.).
4. Chief Manager, Lead Bank (L.D.M.)/Jamui at State Bank of India, Branch Building, Jamui.
5. Chairman, Bihar Gramin Bank at Gramin Bank Chowk Opp. North H.F.C., Gate N.H. 31 Biohat, District-Begusarai.
6. General Manager (O.P.) Bihar Gramin Bank at Gramin Bank Chowk, North H.F.C. Gate. N.H. 31, Bihar, District Begusarai.
7. Senior Manager, Planning & Development Officer, Bihar Gramin Bank at Gramin Bank Chowk, North H.F.C. Gate. N.H. 31, Bihar, District Begusarai.
8. Regional Manager, Bihar Gramin Bank, Regional Office at Old Hospital Road, Lakhisarai, District Lakhisarai.
9. Senior Branch Manager, Bihar Gramin Bank, Jamui, District Jamui.
10. Branch Manager, Bihar Gramin Bank, Indpey, P.S. Jamui District Jamui.
11. District Officer cum Collector Jamui.
12. Smt. Sudha Sinha, Wife of Subodh Kumar Sinha, R/o-Indpay, P.O.-Amari, P.S.-Jamui, Dist.-Jamui.

.... Respondent/s

Appearance :

For the Petitioner :
For the Respondent No.1 : Mr. S.D. Sanjay, A.S.G.
For the Respondent No.2 : Mr. K.K. Jha, Advocate.

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 19-11-2016

The challenge in the present writ application is against
shifting of Bihar Gramin Bank, Indpey Branch to any other place
from village Indpey.



2. The petitioner has pointed out that in the district Headquarter of Jamui, there are various leading banks like State Bank of India, Punjab National Bank, UCO Bank, Canara Bank but Bihar Gramin Bank is a ultra small branch which runs under the supervision and control of Bihar Gramin Bank, Jamui. The Bihar Gramin Bank Indpey was established in the village as per the letter of Reserve Bank of India on 2nd of July, 2013 but in June, 2014, it was decided to shift the Bank Branch from village Indpey which was opposed by the villagers. The shifting of Branch is said to be illegal and without jurisdiction and contrary to the policy of the Reserve Bank of India.

3. None is present on behalf of the petitioner.

4. Learned counsel for the Reserve Bank of India has pointed out that shifting of a Branch is a policy decision and that no right of the petitioner is affected by such shifting of the Branch. He relies upon an order of the Division Bench of this Court passed on 14th of August, 2007 in C.W.J.C. No. 319 of 2006 (Shrikant Yadav & Anr. Vs. Union of India & Ors.) wherein, shifting of the Branch of the Bank was not interfered with.

5. Whether a Branch of the Bank should be opened in a village or not is a matter of policy of the Bank. If the Bank finds that the Branch in a particular area or a village or a town is not feasible, the Bank is competent to re-locate the Branch to any other place. It is

a commercial policy decision which will not warrant interference in exercise of writ jurisdiction of this Court.

6. The writ application is, thus, dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

P.K.P.

AFR/NAFR	A.F.R.
CAV DATE	N.A.
Uploading Date	23.11.2016
Transmission Date	