

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3437 of 2015

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Md. Shamsul Arfeen, aged about 42 years, Son of Md. Ali Akbar, resident of Bhauara Bhumiar, Police Station- Madhubani Sadar, District-Madhubani.

.... Petitioner/s

Versus

1. The State Bank of India through its General Manager having office at West Gandhi Maidan, Patna.
2. The General Manager having office at State Bank India, Local Head Office- West Gandhi Maidan, Patna.
3. The Regional Manager State Bank of India, having office at Regional Business Office, Station Road, Laheriasaria, Darbhanga, Bihar.
4. The Branch Manager, State Bank of India (ADB) Branch, Madhubani.
5. The State of Bihar through the Sub- Divisional Certificate Officer Sadar Madhubani.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar
Mr. Sudarshan Kumar

For the Respondent/s : Mr. Pandey S Sahay, SC-31

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

5 19-05-2016

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that he is willing to repay the amount outstanding against him payable to the respondent-Bank provided he is allowed to deposit the same in reasonable instalments. It is informed at the Bar by Mr. Ajit Kumar, learned counsel appearing for the petitioner that the matter is pending consideration before the Certificate Officer, Sadar Madhubani in Certificate Case No.205 of 2013-14 and the only prayer of the petitioner is that he may be permitted to pay the outstanding amount in reasonable instalments considering

his salary structure.

In my opinion the best course for the petitioner would be to file an appropriate application before the Certificate Officer, Sadar Madhubani under Rule 56 of 'the Rules' framed under section-47 of the Bihar and Orissa Public Demands Recovery Act, 2014. It goes without saying that any such application filed by the petitioner should be considered and disposed of by the Certificate Officer accordingly bearing in mind his willingness to repay as well as his salary structure, preferably within a period of three months from the date of receipt/production of a copy of this order.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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