

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.896 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 6184 of 2014
Along with
Interlocutory Application No.3764 of 2015

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1. The State Bank of India through the Regional Manager, Regional Business Office Gaya (wrongly mentioned as the Zonal Manager, Fraser Road, Patna in the writ Petition).
 2. The Authorized Officer, State Bank of India, Tekari Branch, Gaya, District – Gaya.
 3. The Branch Manager, State Bank of India, Tikari Branch, Gaya, District - Gaya.
 4. M/S Daksh Professional Consulting Pvt. Ltd. through Branch Manager, State Bank of India, Gaya.

.... Respondents- Appellant/s

Versus

1. Dharmendra Kumar Albela, S/O Late Devnandan Yadav, resident of village - Dihuri, P.O. - Korap, P.S. - Konch Rampur, District – Gaya.
2. The Proprietor of M/S Maa Tara Tractors (Authorized dealer of Mahindra Gujrat Tractor, V.K.S. Colony, Road No.12 - 13, Near Asha Steel, Medical College, Cherki Road, Gaya - 4, Tractor, Show Room situated at Near VKS Colony, Road No. 12-13, Gaya, Sherghati Main Road, Medical College, Gaya.
3. The Central Bureau investigation, Bailey Road, Patna.

.... Respondent/s

With

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Letters Patent Appeal No. 1062 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 16154 of 2014
Along with
Interlocutory Application No.4393 of 2015

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1. The State Bank of India through the Regional Manager, Regional Business Office Gaya (wrongly mentioned as the Zonal Manager, Fraser Road, Patna in the writ petition)
 2. The Regional Manager, Regional Business (Bank) Office, State Bank of India, Gaya, District – Gaya.
 3. The Branch Manager, State Bank of India, Tikari Branch Gaya, District- Gaya.
 4. M/S Daksh Professional Consulting Pvt. Ltd. through the Branch Manager, State Bank of India, Tikari Branch Gaya, District – Gaya.

.... Respondents-Appellant/s

Versus

1. Maa Tara Enterprises represented through its proprietor namely Niranjana Kumar S/O Shri Umesh Singh (Authorized Dealer) of ACE Tractor. Show Room situated at Near VKS Colony, Road No. 12-13, Gaya, Sherghati Main Road, Medical Collage, Gaya.
2. The Central Bureau Investigation, Bailey Road, Patna

.... Respondent/s

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Appearance :

(In LPA No.896 of 2015)

For the Appellant/s : Mr. Kaushlendra Kumar Sinha, Advocate

For the C.B.I. : Mr. Sanjay Kumar, S.C.- C.B.I.

(In LPA No.1062 of 2015)

For the Appellant/s : Mr. Kaushlendra Kumar Sinha, Advocate

For the C.B.I. : Mr. Bipin Kumar Sinha, S.C.-C.B.I.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 28-10-2016

Re.: I.A. No.3764 of 2015 in L.P.A. No.896 of 2015 and I.A.

No.4393 of 2015 in L.P.A. No.1062 of 2015

The applications are for condonation of delay of 24 and 25 days respectively in filing of the present Letters Patent Appeals.

For the reasons mentioned in the applications, we find that sufficient cause is made out for condonation of delay. Consequently, we condone the delay in filing of the present Letters Patent Appeals.

Interlocutory Applications stand allowed accordingly.

Re.: Letters Patent Appeal No.896 of 2015 and 1062 of 2015

The present Letters Patent Appeals are directed against a common order passed by a learned single Judge of this Court on 14th October, 2014 in CWJC Nos. 6184 of 2014 and 16154 of 2014, wherein Central Bureau of Investigation (for short, 'C.B.I.') was directed to institute and conduct a preliminary enquiry in the whole episode of grant of agricultural loan for purchase of Tractor and also to examine the role played by the two Branch Managers, i.e. State Bank

of India, Tekari Branch and Punjab National Bench, Guraru Branch, as well as the Tractor Dealers.

Learned counsel appearing for the C.B.I. states that after completion of the investigation, a charge sheet has been filed, but as against the officials of the Bank, C.B.I. has suggested departmental action.

In view of the said fact, the present appeals are rendered infructuous. The same are dismissed as such.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	N. A. F. R.
CAV DATE	N. A.
Uploading Date	29.10.2016
Transmission Date	