

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7316 of 2017

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1. M/s Shree Durga Rice Mill (Modern Rice Mill), a partnership firm having its place of business at Akhauripur Gola, P.O. Chausa - 802114, P.S. - Buxar Muffasil, District - Buxar through its partner namely Anunay Kumar son of Shri Vinod Kumar resident of Anand Bhawan, Station Road, P.S. Buxar Town, P.O. - Gajadharganj, District and Town - Buxar , PIN 802103.
 2. Vinod Kumar son of Late Anand Bihari Prasad resident of Anand Bhawan, Station Road, P.S. Buxar Town, P.O. - Gajadharganj, District and Town - Buxar , PIN 802103.
 3. Anunay Kumar @ Anunay Prasad son of Shri Vinod Kumar resident of Anand Bhawan, Station Road, P.S. Buxar Town, P.O. - Gajadharganj, District and Town - Buxar , PIN 802103.
 4. Meena Devi wife of Shri Vinod Kumar resident of Anand Bhawan, Station Road, P.S. Buxar Town, P.O. - Gajadharganj, District and Town - Buxar , PIN 802103.

.... Petitioner/s

Versus

1. Bank of India, Star House, C - 5, 'G' Block, Bandra Kurla Complex, Bandra (East), Mumbai - 400051 through its Chairman-cum-Managing Director.
2. The Chairman-cum-Managing Director, Bank of India, Star House, C - 5, 'G' Block, Bandra Kurla Complex, Bandra (East), Mumbai - 400051.
3. The Zonal Manager, Bank of India, Patna Zone, Chanakya Place, Birchand Patel Marg, Patna - 800001, Bihar.
4. The Senior Branch Manager, Bank of India, Buxar Branch, Buxar, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar,
Mr. Ranjit Kumar Thakur
For the Respondent/s : Mr. Sanjay Singh Thakur,
Mr. Prabhat Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
counsel for the Bank.

Petitioner has sought a relief that the Bank should not
come in the way to operate the Bank account as having



claimed that objector who was partner, has said, she is no longer in the partnership firm and as such her objection should not be taken into cognizance by the Bank.

It is admitted that that petitioner is a partnership firm. Sangeeta Devi was partner as having claimed that she has retired and after retirement she has raised this objection.

This Court is of the view that this issue can only be settled by filing proper suit before appropriate forum. This issue cannot be settled in the present proceeding. If Sangeeta Devi will withdraw her objection, the Bank will consider about entitlement of operation of the Bank account.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

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