

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15369 of 2016

=====

1. Hanuman Agencies, Proprietor, Smt. Sita Kachhwal, W/o Hemant Kachhwal Estate Road, Forbesganj, Ward No. 4, P.S. Forbesganj, District Araria (Bihar).

.... Petitioner/s

Versus

1. The General Manager, State Bank of India, Patna, Head Office, Gandhi Maidan (West), Patna, PIN No. 800001.
2. The Chief Manager, State Bank of India, Forbesganj Main Branch, Samta Bhawan Road, P.S. Forbesganj, District Araria (Bihar), PIN No. 854318.
3. The Regional Manager, State Bank of India, Purnia Zonal Office (Near Kala Bhawan), Purnia, District- Purnea, PIN No. 854301.
4. The Assistant General Manager, State Bank of India, Stressed Assets Recovery Branch, 2nd floor, Patna Main Branch Building, Patna- 800001.
5. The Ombudsman, State Bank of India, C/o Reserve Bank of India, South Gandhi Maidan, Patna- 800001.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jagannath Singh
For the Bank : Mr. Santosh Kumar Singh.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-01-2017

Heard learned counsel for the petitioner and learned counsel for the Bank.

In the present writ petition, petitioner is challenging the letter dated 1.8.2016 issued by the Chief Manager, State Bank of India, Forbesganj by which direction has been given to make payment in full to the loan amount.

Learned counsel for the petitioner has brought to the notice of this Court that petitioner was asked vide letter dated 1.8.2016 that his account has been classified as NPA on 28.7.2016 due to



the act and omission on your part, and present outstanding as on 31.7.2016 is Ra.61,81,481/- which you are liable to pay with interest thereon till repayment. But in paragraph 3 of the said letter Bank has advised to make payment in full in the captioned loan accounts on or before 25.8.2016 failing which the Bank shall be constrained to take necessary steps for recovery as also publishing of your photographs in the newspaper in accordance with law.

On receipt of the aforesaid letter petitioner has approached to the Ombudsman, State Bank of India which is apparently clear from Annexure-7 of the writ petition. Ombudsman, State Bank of India vide letter dated 23.8.2016 called by the Bank for its comment but on the next date the Bank has transferred his to Stressed Assets Management Branch/Stressed Assets Recovery Branch which is not done in normal situation. It has further been stated that in addition to the usual service charges, he will be liable to pay to the Bank all additional expenses incurred in connection with the about accounts including SMS charges @ Rs.5/- per SMS, call charges @ Rs.20/- per phone call, e-mail charges @ Rs.40/- per e-mail and letters @ Rs.100/- per letter and postage etc.

As matter is pending before the Ombudsman, State Bank of India, South Gandhi Maidan, Patna, he is directed to decide



the aforesaid issue in accordance with law.

With the aforesaid observation this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.1.2017
Transmission Date	NA

