

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9273 of 2015

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Bechu Narayan Sahni, S/o Pulkit Sahni, Resident of Village- Pathrahi, Police Station Ladaniya, District Madhubani.

.... Petitioner

Versus

1. The Chairman, North Bihar Gramin Bank, Muzaffarpur.
2. The Regional Manager, North Bihar Gramin Bank, Muzaffarpur.
3. The Area Manager, Madhubani Kshetriya North Bihar Gramin Bank, Madhubani.
4. The Branch Manager, Gazhara Branch, North Bihar Gramin Bank, District Madhubani.
5. Manager, Mithilanchal Tractor Agency, Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, adv.

For the Respondent/s : Mr. Prabhakar Jha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-03-2017

Heard learned counsel for the parties.

2. In this case, the petitioner has taken a loan of Rs.3 lakh from the Gramin Bank, Gazhara (Madhubani) Branch, after depositing margin money under the Agriculture Loan Scheme, for the purposes of purchasing a tractor, but the complain has been made that the owner book, sale letter, insurance book, registration paper, have not been handed over to the petitioner and on that account he is unable to use the tractor for his benefit.

3. In the writ application, the petitioner has made a prayer that the respondent-bank should be prevented from charging



interest, which is not acceptable to this Court, but if the petitioner has taken loan, it is the duty of the Regional Manager of the Bank to ensure the delivery of the relevant papers of the tractor to the petitioner so that he can use the tractor for his own benefit.

4. In such view of the matter, this writ application is disposed of with a direction to the petitioner to approach the Regional Manager, North Bihar Gramin Bank, Muzaffarpur, by filing a proper representation, attaching the copy of this order. If such an application is filed, the Regional Manager, North Bihar Gramin Bank, Muzaffarpur, shall consider the same and ensure the service of documents/papers by Tractor agency within a period of two weeks from the date of filing of representation by the petitioner. In the meantime, the petitioner is also directed to pay the loan amount.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
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