

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1024 of 2016

Arising out of

C.W.J.C. No. 3153 of 2014

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1. Syndicate Bank, Patna Main Branch, Frazer Road, Patna 800001 through the Regional Manager, Maurya Tower, Maurya Loak Complex, Dakbunglow Road, Patna

2. Branch Manager, Syndicate Bank, Patna Main Branch, Frazer Road, Patna 800001

3. Authorized officer, Syndicate Bank, Patna Main Branch, Frazer Road, Patna 800001

.... Appellant/s

Versus

1. New Dadiala Saw Mills through its Proprietor Harbhajan Singh Son of Late Sardar Darshan Singh, Boring Canal Road, P.S. Budha Colony, Town and District Patna

2. The Presiding officer, Debts Recovery Tribunal, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Siddharth Harsh, Advocate

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 23-06-2017

Delay of 25 days in filing of the appeal is condoned. I.A.

No. 1024 of 2016 stands allowed.

2. Seeking exception to an order dated 08.03.2016 passed by the learned Writ Court in C.W.J.C. No. 3153 of 2014, an order passed by the learned Writ Court allowing the writ petition filed by the respondent borrower and interfering with an order passed by the Debts Recovery Tribunal in O.A. No. 166 of 2013 directing for



payment of Court Fee by the borrower to the Bank in an Original Application filed by the Bank, this appeal has been filed.

3. The Learned Writ Court in the detailed order passed, has found that for the Original Application filed by the Bank challenging certain action in the matter of settlement of dispute, it was not necessary to direct for payment of Court Fee by the borrower and has interfered in the matter.

4. In doing so, we are of the considered view that the learned Writ Court has not committed any error which warrants reconsideration. The appeal filed by the Bank being devoid of merit, is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	29.06.2017
Transmission Date	

