

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5351 of 2015

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Dharmendra Kumar, son of Late Ram Sevak Rai, Resident of Village- Ghaghra,
Baburban, P.S.- Parihar, District- Sitamarhi.

.... Petitioner

Versus

1. The Bank of India through the Chief Manager, C-5, G Block, Bandra Kurla Complex, Bandra Estate, Mumbai.
2. The Chief Manager-C-5, G Block, Bandra Kurla Complex, Bandra Estate, Mumbai.
3. The Zonal Manager, Bank of India, Muzaffarpur.
4. The Regional Manager, Bank of India, Muzaffarpur.
5. The Branch Manager, Parwaha Branch, Bank of India, Sitamarhi.
6. The Clerk, Bank of India, Parwaha Branch, Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Adv.

For the Respondent/s : Mr. Ajay Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 04-08-2017

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

2. In this case, limited grievance has been made that he
has made deposit of Rs.39,000/- on 08.02.2014, which was not
credited in his account, when made a complaint, the Branch
Manager on account of bad relationship with his one of the family
members treated him very badly and also hurled threat that he will



file a criminal case against him, making allegation that he came there to commit the robbery in the Bank inasmuch as the petitioner has filed a criminal case being Complaint Case No.404 of 2015.

3. The counter affidavit has been filed by the Bank, where the explanation has been offered by the Bank that the petitioner has deposited Rs.39,000/- on 08.02.2014 but could not be credited as the system was not working, next day was the Sunday and whereafter two days there was a call of strike of all India Bank employees, the branch started working on 12.02.2014 and on the same day though there was a heavy rush but the Bank has credited the said amount in the account of the petitioner.

4. The explanation offered by the Bank is fair and satisfactory. For the same incident, the petitioner has also filed a criminal case, when the problem has been resolved, in such circumstance, the petitioner should withdraw the said criminal case.

5. At this stage, the petitioner has raised grievance that his account has been deactivated. If the petitioner files an application for activation of the account, the Bank Manager will be obliged to look into the matter and do the needful so that he will be able to operate his account.



6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
Uploading Date	16.08.2017
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