

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.13152 of 2016**

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Manoranjan Prasad, aged 52 years, S/o Shri Ramjee Prasad Adocate, R/o Gulbi Ghat, P.O.- Mahendru, P.s. Sultanganj, Town & District- Patna.

.... .... Petitioner

Versus

1. Punjab National Bank, A Nationalized Bank, through its Divisional Manager, Division Office, Chanakya Place, R-Block, Patna 800001.
2. Divisional Manager, Punjab National Bank, Division Office, Chanakya Place, R-Block, Patna 800001.
3. Circle Head, Punjab National Bank, Division Office, Chanakya Place, R-Block, Patna 800001.
4. Chief Manager cum Authorised Officer, Punjab National Bank, Muradpur Branch, Khaitan Market, Patna- 800004.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Laxmi Narayan Das, Adv.

For the Respondent/s : Mr. Kumar Priya Ranjan, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 19-07-2017**

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

In this case, the petitioner is challenging the letter dated 29.03.2016, by which the amount which has been deposited by the petitioner having been forfeited.

The petitioner has deposited Rs.8,08,500/- after the auction was finalized in his favour and after 15 days he was to deposit the rest amount, but even after extending the period he has not deposited the rest amount. When the petitioner did not respond positively, the Bank has taken decision for forfeiting the amount.



Learned counsel for the petitioner submits that the Bank has illegally forfeited the amount as the Bank was not in possession of the property in view of the fact that one Birju Kumar has written a letter to the petitioner as well as to the Bank, whereby he informed that original borrower has taken Rs.6,50,000/-, but did not return, itself indicates, Birju Kumar was/is in possession of property.

These disputed facts cannot be gone into in the present proceeding. However, the petitioner, is so advised, may approach to the Tribunal for redressal of his grievance.

Accordingly, this writ application is disposed of.

**(Shivaji Pandey, J)**

pawan/-

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