

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10925 of 2017

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Indra Kumar Singh, Son of Late Ram Nandan Singh, Resident of Gorakh Nath Lane, East Boring, Canal Road, Patna.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Transport Department, Vishweshwaraiya Bhawan, Bailey Road, Patna.
2. The District Transport Officer, Patna Biscomaun Bhawan, Gandhi Maidan, Patna.
3. Chief Manager, State of Bank of India, Main Branch, Gandhi Maidan, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Kishore Kumar Thakur Mr. Braj Kishore Singh, Advocates.
For the State	:	Mr. Rajesh Kumar, Advocate.
For the Bank	:	Mr. Sanjiv Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 23-11-2017

The present writ petition has been filed for the following reliefs:

“(i) For a direction to the respondent Chief Manager, State Bank of India, Main Branch, Patna to issue non-encumbrance/Loan Liquidation Certificate in favour of the petitioner with respect to the vehicle loan taken by Late Ram Nandan Singh i.e., the father of the petitioner for purchase of a Mahindra & Mahindra Jeep of 1981 model having Registration No. BHI5925 vide loan account no. RD2/230 maintained by the said main Branch of State Bank of India.

(ii) The petitioner alternatively prays that in view of the fact that the respondent Bank is showing its reluctance in



issuance of such loan having been liquidated by the Late father of the petitioner during his lifetime, a direction be issued to the respondent District Transport Officer, Patna to complete the formalities of registration of the said vehicle as noted above in favour of the intending purchaser to whom the petitioner, being the sole heir and legal representative of late Ram Nandan Singh has decided to sell the said vehicle, on the basis of the earlier registration certificate issued by it, without insisting for production of such non-encumbrance/loan liquidation certificate supposed to be issued by the respondent Bank.

2. At the very outset, learned counsel for the petitioner states on instruction that the non-encumbrance/Loan Liquidation Certificate has now been issued on 18.11.2017 and hence prayer no. (i) has become infructuous and need not be pressed. The same is accordingly rejected.

3. Having regard to the nature of the grievance raised in prayer no. (ii), with consent of the petitioner, the writ petition is disposed of granting liberty to the petitioner to approach the District Transport Officer, Patna (respondent no. 2) with a representation for redressal of his grievances in the light of the Loan Liquidation Certificate now issued. If any such representation is filed within two weeks from today, the same shall be considered and disposed of on its own merits in accordance with law, expeditiously and in any event preferably within a period of two weeks thereafter.



Md. Ibrarul/BT

(Vikash Jain, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
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Transmission Date	N.A.

