

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 10200 of 2014

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Nandlal Sah, Son of Sri Rajendra Sah, Resident of Village- Banuchhapar, P.S.- Bettiah Mufassil, District- West Champaran, Proprietor M/S Hemant Enterprises Kachahari Chowk, Bettiah, West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Industries New Secretariat, Patna.
2. Director, Department of Industries New Secretariat, Patna.
3. Managing Director, Canara Bank, 112, J.C. Road, Bangalore.
4. Regional Manager, Canara Bank, Regional Office, Muzaffarpur, Bihar.
5. Branch Manager, Canara Bank, Bettiah, West Champaran.
6. I/C District Industries Centre, West Champaran.
7. District Magistrate, West Champaran at Bettiah.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 17-01-2018

Heard learned counsel for the petitioner; State and
Canara Bank.

2. Finally, in view of the 4th supplementary counter affidavit filed on behalf of Canara Bank, disclosing the stand that the grievance of the petitioner stands redressed, the writ petition has become infructuous.

3. Accordingly, the same stands disposed off with the observation that because of the present proceeding, the grievance of the petitioner having been redressed, he shall not be harassed. The Court would add here that all the required legal formalities which are



necessary shall also be complied with by the petitioner.

4. A counter affidavit has been filed on behalf of respondent no. 7. The same is for explaining as to why there was inordinate delay in communicating the letter of the learned State counsel in the matter to the respondent no. 6 by the respondent no. 7, despite the fact that the Court had directed respondent no. 6 to take certain action within 10 days and still the order was communicated to him after 18 days.

5. Learned counsel for the State submitted that though the respondent no. 7 has asked for explanation from the respondent no. 6, which has also been submitted, but it appears that due to *bona fide* reasons, the stand taken by respondent no. 6 before the Court was not factually incorrect. It was submitted that the peon, who is supposed to have received the letter, had entered the same in the register only on 30.10.2017 when the letter of the State counsel was put up before the respondent no. 6 and further with regard to the communication through e-mail, as there was some problem with the password of the official e-mail of the respondent no. 6, access could not be made to the said e-mail account in time, and thus it was the hardcopy which was ultimately put before him on 30.10.2017.

6. The Court finds that sufficient cause has been shown by the concerned respondents in the matter and thus it appears that



there was no deliberate or willful laches on their part. Such issue stands consigned.

7. The writ petition stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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