IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5656 of 2015

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Md. Wasim, son of late Noor Mohammad @ Bhuletan Mian, R/O Mohalla Madarsha Road, Near Gupta Cinema Hall, P.S:- Aurangabad, District:- Aurangabad.

.... Petitioner

Versus

1. The State of Bihar, through Secretary, Ministry of Industries, Government of Bihar, Patna.
2. The Deputy Zonal Chief, UCO Bank, Zonal Office, Block 'A', 4th floor, Maurya Lok Complex, New Dak Buglow Road, Patna.
3. The Branch Manager, UCO Bank, Aurangabad, District Aurangabad.
4. The Manager, U CO Bank, Dharmshala Chowk, P.O + Distt:- Aurangabad.
5. The General Manager, District Industry Centre, Aurangabad.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Yugal Kishore, Advocate.
For the Bank	:	Mr. Ranjeet Kumar Pandey, Advocate.
For the State	:	AC to GP-20

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 29-10-2018

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

2. The present writ petition has been filed for quashing the letter no. MISC/24/2014-15 dated 06.12.2014 issued under the signature of respondent no. 3 whereby and whereunder the Manager, UCO Bank, Aurangabad has rejected the application of the petitioner which was filed under Prime Minister Employment Generating Programme (for short, the 'PMEGP'); and for connected reliefs.

3. Learned counsel for the petitioner submits that the

case of the petitioner was recommended by the District Industry Centre, Aurangabad to the UCO Bank for grant of loan of Rs. 5,00,000/- under the PMEGP Scheme pursuant to which the said Bank approved the loan in principle by letter dated 05.08.2014 (Annexure-2). The petitioner completed the Entrepreneurship Development Programme sponsored by the Institute of Entrepreneurship Development, Bihar (Annexure-3). However by the impugned letter dated 06.12.2014, the respondent-Bank informed the petitioner that his PMEGP application has been rejected. It is submitted that the action of the respondent-Bank in rejecting the petitioner's application without assigning any reasons is wholly arbitrary and the petitioner is entitled to the loan of Rs. 5,00,000/- under the PMEGP Scheme.

4. Learned counsel for the respondent-Bank, on the other hand, invites reference to an inquiry report dated 03.12.2014 submitted to the Zonal Manager (Annexure-E to the supplementary counter affidavit) in which it was opined for various reasons enumerated therein that the project of the petitioner was neither technically feasible nor economically viable. Accordingly, the Zonal Manager by letter dated 05.12.2014 (Annexure-C to the counter affidavit) wrote to the Manager of the respondent-Bank, Aurangabad that the proposal of the petitioner was being rejected and to communicate the decision to the petitioner as well as to the District

Industry Centre, Aurangabad.

5. Having heard the parties and on consideration of the materials on record, this Court finds the writ petition to be devoid of merit. By the impugned order dated 06.12.2014, a decision of the Zonal Manager was communicated to the petitioner with respect to rejection of his proposal. Upon enquiry, the respondent-Bank found the proposed project of the petitioner not technically feasible and commercially viable for various reasons. Learned counsel for the petitioner has not shown from the PMEGP Scheme that the Bank was bound to grant loan upon the recommendation of the District Industry Centre, even if the Bank was of the considered view that the project was not viable, or that the petitioner had any absolute right to be granted loan by the Bank. Moreover, a perusal of the letter of the District Industry Centre further discloses that the recommendation for grant of loan was subject to the Bank's Rules.

6. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	30.10.2018
Transmission Date	N.A.