

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17662 of 2013

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IDBI Bank Ltd., A Company Incorporated Under Indian Companies Act, 1956 Having Its Registered Office At Idbi Tower, Wtc Complex, Cuffe Parade, Mumbai- 400005, And Its Regional Office At Indian Red Cross Society Building, 1, Red Cross Road, Post Bag No.:- 231, New Delhi- 110001 And Amongst Other Places Having One Of Its Branch Office At Uma Complex, Frazer Road, Patna- 800001 Through Its Deputy General Manager, Rizwan Khan S/O Mr. A.M. Khan Petitioner/s

Versus

1. The Patna Municipal Corporation Through The Municipal Commissioner
2. The Municipal Commissioner, Patna Municipal Corporation, Patna
3. The Chief Engineer, Office Of The Municipal Commissioner, Patna Municipal Corporation, Null Block- C, Maurya Lok, Patna- 800001
4. Azz Infrastructure Ltd., A Company Registered Under The Companies Act 1956, Having Its Registered Office At 205, Laxmanplace, 19-Veer Savarkar, Block:- Shakarpur, Delhi And Having Its Regional Office At A-2, Near Kaushik Apartment, Vatika Puri, Ambedkar Path, Rukanpura, Bailey Road, Patna:- 800001 Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sheela Sharma
For the Respondent/s : Mr. Hargovind Singh Himkar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-12-2018 This is a writ petition preferred by the IDBI Bank Limited, seeking a direction to the Patna Municipal Corporation to act as per the commitment given by the Corporation under letter dated 08.02.2010 of depositing the amount, which is due to Respondent No. 4, in his Cash Credit Account bearing No. 127655100000851, maintained with the petitioner-Bank.

Mr. Prasoon Sinha, learned advocate appearing for the Respondent No. 2 has categorically stated that till date, no payment has been made to the Respondent No. 4, the



Concessionaire engaged by the Respondent No. 2, and in case any payment is made, it shall be debited in the Cash Credit Account bearing No. 127655100000851 of Respondent No. 4, maintained with the petitioner bank.

Mr. Sinha has further indicated to this Court that the present writ petition is misconceived and it has been filed on the presumption that the order passed by the Division Bench and the undertaking given by the Respondent No. 2 shall not be respected by the Corporation. There is no reason, it has been urged, to come to such an assumption.

In view of such categorical stand taken by Mr. Prasoon Sinha, the learned counsel for the petitioner does not press this petition.

The petition is disposed off as not being pressed for the present.

(Ashutosh Kumar, J)

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