

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.1444 of 2015

In

Civil Writ Jurisdiction Case No. 12671 of 2014

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Madhu Sudan Kumar, S/O Shri Ramchandra Sah, resident of Village +
P.O.- Karja, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The Uttar Bihar Gramin Bank, having its Head Office in Sharma Complex, Kalambagh Chowk, Muzaffarpur, represented through its Chairman Shri B.S. Harilal, the Uttar Bihar Gramin Bank, Sharma Complex, Kalambagh Chowk, Muzaffarpur,
2. Sri Binod Kumar, the Regional Manager, the Uttar Bihar Gramin Bank, Sharma Complex, Kalambagh Chowk, Muzaffarpur,
3. Sri Subhai Kumar, the Branch Manager, the Uttar Bihar Gramin Bank, Karja, Muzaffarpur,
4. Sri Ashok Singh, Authorized Officer-cum-Chief Manager, the Uttar Bihar Gramin Bank, Sharma Complex, Kalambagh Chowk, Muzaffarpur,

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Adv.
Mr. Chandra Shekhar Anand, Adv.
For the Respondent/s : Mr. Prashant Vedasen, Adv.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

9 23-02-2018 Heard learned counsel for the petitioner and learned
counsel for the Uttar Bihar Gramin Bank.

A show cause has been filed in this case in which vide Annexure-A, the authorities of the Uttar Bihar Gramin Bank have brought on record a letter dated 24.09.2014 which indicates that some communication was made with regard to the statement of accounts after the petitioner had paid a sum of Rs. 2 lakhs in pursuance of the order passed by the writ court.

However, learned counsel for the petitioner has filed a



reply to the show cause and has seriously disputed Annexure- A. It has been submitted that such a letter was never sent to the petitioner, but the petitioner had written on 14.10.2014. However, on 02.12.2017, the petitioner received a letter from the Branch Manager, Uttar Bihar Gramin Bank, the statement of accounts as on 30.11.2017, calling upon him to pay the amounts stated therein. The said letter was answered by the petitioner on 08.12.2017 and the petitioner prayed for rectification of the statement of accounts as had been sent to him. It, thus, appears that the bank has been sitting over the matter since 14.02.2017 which amounts to clear violation of the order. No registered letter has been sent to the petitioner in the year, 2014 giving the statement of accounts but now in the year, 2017, the opposite parties are saddling the interest for three years delay, on the shoulders of the petitioner, which appears to this Court to be wholly against the letter and spirit of the order passed by this Court. The calculation of interest would have only been made if the opposite parties had issued proper letter vide registered post to the petitioner and if the same would have been refused, then alone could the opposite parties take the plea that the petitioner had not received the letter wilfully.

Since, admittedly, after the order, the bank has not



given the statement of accounts to the petitioner, let the Uttar Bihar Gramin Bank furnish the said statements within a period of four weeks from today and copy of the same must be sent to the petitioner through registered post with acknowledgment due. The petitioner shall then adhere to the guidelines of the order passed by the writ court earlier and make 50 percent payment thereof and the time frame fixed in the said order.

The M.J.C. application stands disposed of with the aforesaid liberty.

(Anjana Mishra, J)

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