

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17387 of 2013

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Virendra Kumar Singh Son Of Late Binesh Chand Singh Resident At Bidhu Nagar, P.O. And P.S. Koilwar, District - Bhojpur

... .. Petitioner/s

Versus

1. The Bihar State Fiancial Corporation, Frazer Road, Patna Through Its Managing Director
2. The Branch Manager, Bihar State Financial Corporation, Shahabad Branch, First Floor, G.C. House, Maharaja Hata, Ara

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari Singh.Adv
For the Respondent/s : Mr. Y.V.Giri,Adv

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 03-12-2018

The present writ petition has been filed for quashing the order dated 10.01.2013 passed and issued by the Branch Manager, Bihar State Financial Corporation, Maharaja Hata, Ara (Annexure-5) requiring the petitioner to liquidate the entire arrears of the Corporation within 15 days; and for quashing the advertisement published in the daily newspaper on 04.08.2013 for sale of the assets of the petitioner under Section 29 of the State Financial Corporation Act, 1951.

2. Learned counsel for the petitioner submits that despite various requests including the request for being permitted to participate in the One Time Settlement (OTS) Scheme, the respondent-Corporation has proceeded for recovery of its dues. It is stated that the assets of the petitioner could not be sold as yet and on the other hand the petitioner is desirous of liquidating his dues, if permitted to



participate in the OTS scheme.

3. Learned counsel for the respondent-Corporation appears and has been heard.

4. Having heard the parties and on consideration of the materials on record, this Court finds the writ petition to be devoid of merit. It is not the case of the petitioner that he had applied under the then existing OTS scheme by fulfilling the prerequisites thereof and as such no fault can be found with the action of the respondents in proceeding for recovery of its dues.

5. Needless to say, it is always open to the petitioner to settle the outstanding amount owing to the Corporation and/or to take advantage of any OTS scheme as may be announced in future. As well settled the respondents cannot be directed to grant benefit of any earlier OTS scheme to the petitioner for which date of application has already expired. It is not in dispute that there is no OTS scheme which is ongoing at the present time.

6. The writ petition stands dismissed.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
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