

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1405 of 2017

IN

Civil Writ Jurisdiction Case No. 17046 of 2012

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Nandlal Sah S/o Late Bachan Sah R/o Village Turkaullia, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar through D.M. East Champaran.
2. Sharda Ram, the Branch Manager Uttar Bihar Kshetriya Gramin Bank, Shanker Saraiya, District - East Champaran.
3. Rajesh Kumar Rungta, the Branch Manager, Uttar Bihar Gramin Bank, Head Office, Kalambagh Chowk, District - Muzaffarpur, Bihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vishwajeet Kumar Mishra, Advocate.
For the State : Mr. Rohitabh Das, AC to AAG-10
For the Bank : Mr. Prabhakar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 24-01-2018

Heard learned counsel for the petitioner and learned
counsel for the opposite parties.

2. The present petition has been filed for initiating a contempt proceeding against the opposite parties for willful disobedience of the order of this court dated 19.08.2016 passed in C.W.J.C. No. 17046 of 2012 requiring the authorities to consider the petitioner's case and taking decision at their end.

3. Learned counsel for the petitioner invites attention to letter dated 15.09.2016 (Annexure-3) passed by the opposite party Uttar Bihar Gramin Bank pursuant to judgment of this Court dated 19.08.2016 whereby an amount of Rs. 10,92,472/- has been shown as outstanding. It is submitted that such order is wholly illegal and has incorrectly been passed.

4. Learned counsel for the petitioner however has not



been able to satisfy this Court in which manner the judgment dated 19.08.2016 has not been complied with. The statement of account annexed with the Bank's aforesaid letter dated 15.09.2016 has admittedly been supplied to the petitioner, according to which an amount of Rs. 10,92,472/- is shown to be outstanding against the petitioner after giving credit of payment of Rs. 6,32,000/- on 04.03.2015 which was claimed by the petitioner.

5. The direction of this Court upon the Bank was to issue No Dues Certificate to the petitioner in the event of the entire dues having been repaid by the petitioner but in the instant case it appears that an amount of over Rs. 10,00,000/- yet remains outstanding against the petitioner.

6. The contempt petition accordingly dismissed with liberty to the petitioner to raise his grievance, if any, against the letter dated 15.09.2016 showing the amount of Rs. 10,92,472/- as outstanding, before the appropriate forum in accordance with law.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	27.01.2018
Transmission Date	N.A.

