

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2266 of 2019

Ajit Kumar Srivastava aged about 47 years (Male) son of Mankeshwar Prasad, Founder of M.S. Risk Management, R/o- Gopala Math, P.S. Thawe, Dist- Gopalganj.

... .. Petitioner

Versus

1. The Canara Bank through its Divisional Manager, Circle Office, Exhibition Road, Patna.
2. The General Manager, Canara Bank patna
3. The General Manager, Canara Bank Muzaffarpur
4. The Regional Manager, Canara Bank Muzaffarpur
5. The Senior Manager, Canara Manager Gopalganj Branch, District – Gopalganj.
6. The Branch Manager, Canara Bank Bhore Branch, District - Gopalganj
7. The Loan Officer, Canara Bank main branch, Gopalganj
8. The Branch Manager, Canara bank Sasa Musa Branch, Gopalganj
9. The Branch Manager, Canara Bank Barhariya Branch, Dist-Siwan
10. The Branch Manager, Canara Bank Ekderwa Branch, District- Gopalganj
11. The Branch Manager, Canara Bank Bhore Branch, Gopalganj
12. The Branch Manager, Canara Bank Badhariya Branch, Dist-Gopalganj
13. The Branch Manager Canara Bank , Mairwa Branch, District – Siwan.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Srivastava, Advocate Ms. Rajni Gandha, Advocate Mr. Sunny Raman, Advocate
For the Respondent/s	:	Mr.Rajan Ghoshrahe, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-04-2019 This writ application has been preferred seeking a mandamus for directing the respondents to make payment of professional fee of Rs. 1,44,387/-. It is the case of the petitioner that he was rendering his service as Recovery Agent of Canara Bank in view of the Agreement made on 28.03.2017. The petitioner submitted bills/vouchers but the payments have not



been made to the petitioner.

Learned counsel for the Bank is present however no plausible reason has been shown as to why the bills of the petitioner, if he has acted as Recovery Agent, has not been considered.

In the given facts and circumstances of the case, without going into the merit of the contention and submission of the petitioner as to his entitlement for payment, this court would only observe that in case the Bank has taken services of the petitioner and the bills of the petitioner are pending with the Bank, the Bank being an instrumentality of the State would be obliged to consider the same and make payment of the admitted amount. In case, the claim of the petitioner is not payable for any reason, the same should also be communicated to the petitioner. At least this much duty is cast upon the State and its instrumentality to act and not to remain sitting over on the matter, it would amount to inaction on the part of the Bank.

Let the respondent Bank take independent decision thereon within a period of 60 days from the date of receipt/production of a copy of this order.

If the claim of the petitioner is not payable the same should also be communicated to him and in that case the



petitioner may seek his remedy before an appropriate court/forum.

The writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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