

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4028 of 2019

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Shyam Lal @ Shyam Kumar Soni, Son of Late Bishwa Nath Prasad, R/o
Barahat, P.O.-Ishipur, P.S.-Pirpainty, District-Bhagalpur

... .. Petitioner/s

Versus

1. The Bihar State Financial Corporation through its Managing Director, Fraser Road, Patna
2. The Managing Director, Bihar State Financial Corporation, Fraser Road, Patna
3. The Branch Manager, Bihar State Financial Corporation, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Respondent/s : Mr.Kumar Abhimanyu Pratap

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-03-2019

This application has been preferred for a direction upon the respondents Bihar State Financial Corporation (hereinafter referred to as the 'BSFC') to issue an application form under the One Time Settlement Scheme, 2019 for the slab of 110%. The scheme has been floated by the BSFC recently.

Learned counsel for the petitioner, at this stage, submits that the BSFC has supplied a form but that is of category 'B' and not as per the slab requested by the petitioner.

Learned counsel for the BSFC has opposed the prayer of the petitioner as according to him the claim of the petitioner that he falls in the slab of 110% may only be considered by the BSFC and not in the present writ application.

I find force in the submission of learned counsel representing the BSFC. It would not be in the domain of this Court to



fix the slab for the petitioner. The petitioner may represent his case before the Managing Director of the BSFC and may demonstrate before him the reasons for which the petitioner is claiming the slab of 110%. In case, any such representation is made before the Managing Director of the BSFC, the same may be considered by him and a decision thereon shall be taken well before the last date of submission of the form under the One Time Settlement Scheme.

This Court has also been given to understand that a sale order has been issued in the present case with regard to the property in question which is under challenge in CWJC No.12748 of 2016. At this stage, an opportunity is being given to the petitioner to submit the form under the One Time Settlement Scheme, any decision taken by the Managing Director on the representation of the petitioner shall be subject to result of the pending writ application. Further, it will be without prejudice to the contentions of the BSFC and submission of form during pendency of the writ shall not confer any benefit upon the petitioner as all these will be subject to final outcome of the writ in which sale order is under challenge.

So far as this writ application is concerned, it is disposed off with the aforesaid observations and directions.

arvind/-

(Rajeev Ranjan Prasad, J)

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