

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6069 of 2019

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M/s Raijee Mini Rice Mill, Proprietor Anil Kumar Rai, aged about 57 years, (Male), Son of Late Indrasan Rai, Resident of Village-Tenuaj, Post Office and Police Station-Natwar, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Finance Department, Government of Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The District Certificate Officer, Rohtas at Sasaram.
4. The Branch Manager, State Bank of India, District-Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Singh, Adv.
For the Respondent No.4:		Mr.Mukund Jha, Adv.
		Mr. Shyamal Krishna Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-04-2019 After some argument, learned counsel for the petitioner submits that because he is only looking for fixation of some installments to refund the entire outstanding dues of the Bank, liberty may be granted to the petitioner to file an appropriate application before the District Certificate Officer, Rohtas at Sasaram where he may make a request to grant him some indulgence to pay the entire outstanding amount in few installments.

Learned counsel for the Bank submits that the Bank is only interested in getting back its money and if the petitioner gives an undertaking before the District Certificate Officer, Rohtas at Sasaram along with some substantial amount which is



request for fixation of few installments, the Bank will certainly cooperate but the petitioner should at the first instance show his bonafides and intention to refund the entire outstanding amount.

In the given facts and circumstances of the case, this Court finds no reason to interfere with the impugned order. Liberty is granted to the petitioner to file an appropriate application before the District Certificate Officer, Rohtas at Sasaram with his request to fix the installments for refund of the entire outstanding amount. Along with his request, he will deposit at least 25% of the total outstanding amount before the District Certificate Officer, thereupon, his application for fixation shall be considered, an appropriate order shall be passed thereon after hearing the stand of the Bank as well.

For a period of 30 days from today, there will be an interim stay of the execution of warrant of arrest. With the aforesaid application if the requested amount is filed before the District Certificate Officer, Rohtas at Sasaram, the petitioner may request for recall of the warrant of arrest.

This writ application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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