

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18425 of 2017

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Siddhant Shandilya Son of Sri Hari Kishore Thakur, resident of Village-
Manpura, P.O. Birahima Bazar, P.S. Baruraj, District- Muzaffarpur.

... .. Petitioner

Versus

1. The Union of India through the Principal Secretary, Human Resources and Development Department, Government of India, New Delhi.
2. The General Manager, Punjab National Bank, New Delhi.
3. The Zonal Manager, Punjab National Bank, Patna.
4. The Regional Manager, Punjab National Bank, Muzaffarpur.
5. The Branch Manager, Punjab National Bank, Parsauni Nath Branch, Muzaffarpur.
6. The Zonal Manager, Canara Bank, Patna.
7. The Regional Manager, Canara Bank, Muzaffarpur.

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Hari Kishore Thakur, Advocate
For the PNB	:	Mr.Kumar Priya Ranjan (SC)
		Mr.Niraj Kumar, Advocate
For the UOI	:	Mr.Uma Shankar Verma, Advocate
For the Canara Bank	:	Mr.Shivendra Shankar, Advcoate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-04-2019 Petitioner in the present case is looking for a writ of Mandamus commanding and directing the respondent authorities to extend the benefits of the interest subsidy on the education loan provided by the Bank in terms of the policy decision of the Government of India.

Learned counsel for the petitioner submits that under the welfare scheme, the Government of India had, in the Budget of 2009-10, introduced the Central Scheme for interest subsidy for all education loans sanctioned up-to 31.03.2009 and disbursed after 01.04.2009. It is also submitted that the budgetary allocation of



Rs. 2600 Crores was made by the then Finance Minister in the interim Budget 2014-15. The petitioner has relied upon a guideline issued for this purpose as contained in Annexure '1' to the writ application.

It is the contention of the petitioner that he has though represented to the Branch Manager and the Regional Manager of the Punjab National Bank requesting them to grant the interest subsidy, the authorities of the Bank are sitting over the matter and not taking any action on the request of the petitioner.

Learned counsel for the Punjab National Bank submits that he has instruction to say that account has been settled and already closed.

Learned counsel for the petitioner, however, contests this submission of learned counsel for the Bank and submits that in the given facts and circumstances of the case the issue which the petitioner is agitating with regard to the interest subsidy under the scheme, the authority of the Bank is obliged to consider the same and take a decision thereon with a consequential benefits, if any, arising to the petitioner.

Learned counsel for the Union of India and learned counsel for the Cenara Bank are present. However, in the nature of the present case learned counsel submit that it is the authorities of the Punjab National Bank who are competent to take a decision in



the matter.

Having heard learned counsel for the petitioner and learned counsel for the Bank, this Court is of the considered opinion that the request of the petitioner by way representation as contained in Annexure '2' series to the writ application are required to be looked into, examined and to be considered by the competent authority of the Punjab National Bank keeping in mind the scheme of the Government of India.

In case, the petitioner has settled the loan account and repaid the entire loan, that would not take away the benefit, if any, has already accrued to the petitioner under the scheme. This Court is not going into the merit of the contentions and is not recording any opinion as to the applicability of the scheme and leave it open for the competent authorities of the Bank to take an appropriate decision thereon and communicate the same to the petitioner within a period of 90 days from the date of receipt/production of a copy of this order.

This writ application stands disposed off.

(Rajeev Ranjan Prasad, J)

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