

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5041 of 2020

Abhay Kumar Sinha Son of Late Gulab Ji Sahai resident of Mohalla- Rajiv Nagar, House No. M/42, Road No. 15, P.S.- Rajiv Nagar, District- Patna

... .. Petitioner/s

Versus

1. United Bank of India Head Office-11, Hemanta Basu Sarani, Kolkata-700001 through its Managing Director
2. Deputy General Manager-cum-Chief Regional Manager, United Bank of India, Patna Region, Patna
3. Branch Manager, United Bank of India, Patliputra Branch, Patna
4. Branch Manager, United Bank of India, Kankarbagh Branch, Patna
5. Panjab National Bank through Circle Head Patna, North. R. Block, Patna (respondent nos.1 to 4 merged with respondent no.5 (Punjab National Bank))

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sourendra Pandey Mr. N. V. Tiwari, Advocates
For the Respondent/s	:	Mr.Binod Bihari Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-11-2021

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

“(i) For issuance of writ of mandamus directing the respondent authorities to release the lien on the pension account of the petitioner.

(ii) For issuance of writ of mandamus directing for releasing the entire pension in favour of the petitioner holding him to be entitled for the same in the facts and circumstances of the case.

(iii) For issuance of writ of mandamus directing the respondents to go for a compromise settlement with the petitioner for closure of Education Loan, of which the petitioner was a co-borrower.

(iv) For other directions to the respondent authorities as deem fit and proper.”

In response to the petition, the respondent Bank,

while opposing the petition has filed counter affidavit inter alia making following pleading as under:-

“11. That the deponent respectfully states and submits that the proposal for compromise under One Time Settlement Scheme in accounts where an existing or ex- staff is being borrower / guarantor shall be considered by an authority of HOCAC-I only as per the circular no.20/2021 dated 31.03.2021, hence the petitioner may approach the Bank by making a fresh representation/offer so that same may be forwarded to the competent authority stated hereinabove.”

Learned counsel for the petitioner states that petitioner is ready and willing to approach the authorities by way of representation as is so suggested by the Bank in terms of pleading reproduced (supra).

None can have any objection to the same.

The petitioner is permitted to approach the respondent Bank in terms of the scheme contained in circular no.20 of 2021 issued on 31.03.2021 (Annexure C).

As and when the petitioner exercise such option, respondents shall take decision in accordance with law within a period of three months.

Liberty reserved to petitioner to approach the court, if the need so arises subsequently on the same and subsequent cause of action.

Equally liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

The writ petition is accordingly, disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.11.2021
Transmission Date	NA