

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1550 of 2021

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The Bhagalpur Central Co-operative Bank Ltd., through its Managing Director, having its Office at Jageshwar Mandal Bhawan, Red Cross Road, Aadampur, Bhagalpur, 812001.

... .. Petitioner/s

Versus

1. The Bank of Baroda through its CEO cum Managing Director, Baroda Bhawan, R.C. Dutt Road, Alkapuri, Baroda, Gujrat.
2. The Zonal Manager, Bank of Baroda, 4th Floor, Anand Vihar, Panchmukhi Mandir, West Boring Canal Road, Patna, Bihar.
3. The Regional Manager, Bank of Baroda, 201, Bihar, Talkies Road, Line Bazar, Purnea, Bihar.
4. The Branch Manager, Bank of Baroda, Branch-Bhagalpur, Dr. Rajendra Prasad Road, Bhagalpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Respondent/s : Mr.Sanjeev Shankar, Advocate

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

Date : 20-12-2021

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s).

“ (i) For commanding the respondent bank and its authorities to refund and pay the petitioner entire amount wrongfully withdrawn, transferred or diverted or withdrawn or siphoned from the petitioner's Super Saving Account No. 10010100013202 and other other connected account with the said account, amounting to Rs. 60,41,32,132/- (Rupees Sixty Crore forty one lac thirty two thousand one

hundred thirty two) up to 31.08.2020 with further up to date interest thereon at the rate of 10% per annum with effect from 01.09.2020 till the date of payment.

(ii) Also commanding the respondents to pay a sum of Rs. 5,00,00,000/- (Rupees Five Crore) to the petitioner by way of compensation and damages for committing act of cheating, fraud and breach of trust against the petitioner, causing harassment, loss to petitioner's business, its' reputation and credibility among its' clients and in the market.

(iii) Also for any other appropriate reliefs) to which the petitioner is found entitled, either in the eye of law or in the facts and circumstances of the case.”

After arguing at some length, the learned Senior counsel for the petitioner Sri J.S. Arora seeks to withdraw the petition with a liberty to file Money Suit/initiate appropriate proceedings before the court of competent jurisdiction. He further prays that a direction be issued to the concerned Civil Court/appropriate forum to decide the case in a fixed time frame. In case, a civil suit/appropriate proceedings is preferred by the petitioner and the same is found to be within limitation, the civil court/appropriate forum shall endeavour to decide the same as expeditiously as possible, preferably within a period of two years from today. The learned counsel appearing for the respondent-Indian Bank Dr. Binay Kr. Singh, Advocate submits that the Bank shall cooperate with the proceedings and would

not seek unnecessary adjournments.

The writ petition stands disposed off

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

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