

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWA No. 246 of 2021

- Chandra Shekhar Mishra S/o Late Shri Lakhan Lal Mishra, Aged About 58 Years R/o Ward No. 2, Post Rajim District Gariyaband Chhattisgarh

---- Petitioner

Versus

1. Chhattisgarh Rajya Gramin Bank Through The Managing Director (Administration), Principle Office, Mahadevghat Road, Sundar Nagar Raipur Chhattisgarh
2. The Branch Manager, Chhattisgarh Rajya Gramin Bank Ward No. 2, Post Rajim, District Gariyaband Chhattisgarh

---- Respondent

For AppellantMr. Vipin Tiwari, Advocate

Proceedings through Video ConferencingDB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. C.J &Hon'ble Mrs. Rajani Dubey, J.Judgment on Board by Prashant Kumar Mishra, Ag. C.J.31/8/2021

1. Heard.
2. The writ petition was preferred for seeking a direction to CG Rajya Gramin Bank to comply with the terms of tenancy agreement on the ground that the respondent Bank is a 'State'

within the meaning of Article 12 of the Constitution of India.

3. Learned counsel for the appellant submits that the writ petition was maintainable and the respondent Bank cannot be permitted to do illegal things.
4. Having heard learned counsel for the appellant, we are not impressed with the arguments, inasmuch as, the impugned action of the respondent-Bank is not any such action, which the respondent Bank was obliged to perform under any statutory rule.
5. It was purely a contractual agreement between the parties. It is a case, the remedy of which lies in Civil Court or any Statutory Tribunal, which has been created for enforcement of rights of landlord/tenant.
6. Accordingly, while refusing to interfere, we observe that if the appellant moves before the jurisdictional Civil Court or Rent Controller for enforcement of his right flowing under the contract within a period of one month from today, the said Tribunal shall decide the application in accordance with law expeditiously preferably within a period of 6 months.
7. The appeal is disposed of.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(Rajani Dubey)
Judge