

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.136 of 2019

Manoj Singh @ Manoj R. Singh Son of Rajbalam Singh, Managing Director of Amrit Raj Infra Project Private Ltd. 502, Madhu Industrial Park, Mogra Cross Road, P.S. Andheri East Mumbai. Permanent Resident of Chatur Bigha, P.S. Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

1. The Regional Manager, Central Bank Of India, Motihari, Bihar.
2. The Branch Manager, Central Bank of India Moiniya Chowk Branch, Gopalganj, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate
For the Respondent/s : Mr. Prabhakar Jha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 10-10-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- (i) To issue an appropriate writ/ writs, order/ orders, direction/ directions in the nature of mandamus for commanding/directing the respondents bank to vacate the premises of the petitioner situated at Thana No.83, Khata No.29, Survey Plot No.1529, Khata No.239, Survey Plot No.1532 at Sareya Ward No.12, New Moiniya chowk, Gopalganj Main Town. As the petitioner had intimated a Legal Notice to the respondent bank on 26.05.2016 for vacating his premises and the respondent bank accepted to vacate



the said property in his reply on 20.06.2016 to that Legal Notice. However the respondent bank has still not vacated the said property date despite the request letter NO. 13.06.2018 given by the petitioner.

(ii) For that appropriate writ, order, direction as may deemed fit and proper by this Hon'ble High Court in the facts and circumstances of the case for directing the respondent bank to vacate the said property of the petitioner at the earliest and the respondent had even accepted to vacate the said property once they find a suitable place to shift the bank. However they have still not vacated the premise which causes great harm to the petitioner. Thus the petitioner seeks relief through this writ petition.

(iii) Any other appropriate writ, order or direction as may be deemed fit and proper by this Hon'ble Court in the facts and circumstances of the case and may also be passed in favour of the petitioner and against the respondents.

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority, venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.



Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Satyavrat Verma, J)

Anjani/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	11.10.2022
Transmission Date	

