

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3021 of 2022

=====

M/s Jyoti Modern Rice Mill through its Partner om Prakash, Male Aged about 47 years, Son of Late Ram Prasad Singh, Resident of Shivan Bigha, P.S.- Risiup, District-Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The Assistant General Manager State bank of Inida, 2nd, Floor Patna Main Branch Building, Gandhi Maidan (West) Patna, Pin Code-800001 (Bihar).
2. The Branch Manager, State Bank of India, Bazar Branch, Aurangabad-824101.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Advocate
For the Respondent/s	:	Mrs. Namrata Mishra, Advocate
		Mr. Anant Kr. Sharan, Advocate
		Mr. Prabhat Kr. Sharan, Advocate
		Mr. Hemant Kr. Sharan, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-09-2022

Heard learned counsel for the petitioner and learned
counsel for the State Bank of India.

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

- (i) For a direction to the Respondent Bank to grant some more time to the petitioner to deposit the rest amount of Rs 18,00,000/ out of Rs 48,50,000/ the petitioner has already paid Rs 30,00,000/to the bank as per the settlement.



- (ii) For commanding the Respondent Bank to take lenient view against the petitioner for recovery of amount whereas the petitioner has already deposited more than 50% in the current situation of worldwide Covid-19 pandemic in which all the Business /enterprises are facing difficulties.
- (iii) For restraining the Respondent from acting upon the letter dt 24.01.2022 issued by Respondent no 1.
- (iv) For any other relief/reliefs for which the petitioner is entitled for.

It is not in dispute that our order dated 19.09.2022 stands complied with by the petitioner. However, as per the recent affidavit dated 27.09.2022 filed by the respondent Bank, petitioner is yet to pay Rs. 36,824/- by way of interest upto 26.09.2022 and legal expenses amounting to Rs.2,23,954/-. Hence, the total amount payable by the petitioner works out to Rs. 2,60,778/-.

The petitioner undertakes to pay the said amount



within a period of six months from today.

Undertaking accepted and taken on record.

The said amount be positively paid by the petitioner in six equal installments spread over a period of six months. It stands mutually agreed that no further interest thereupon shall be payable by the petitioner.

However, should the petitioner fail to deposit the said amount within period of six months from today, the respondent Bank shall be at liberty to take appropriate action in accordance with law.

The writ petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	29.09.2022
Transmission Date	

