

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5108 of 2020

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1. Pradeep Kumar Gupta, aged about 74 years, Male, Son of Late Surya Narayan Gupta Resident of N. 401, Udaigiri Apartment, Buddha Marg, Patna-800001.
 2. Vishnu Gupta, aged about 44 years, Male, Son of Late Dilip Gupta Resident of Gupta Mansion Dak Bunglow Road, Patna- 800001.
 3. Nitish Gupta, aged about 40 years, Male, Son of Late Dilip Gupta Resident of Gupta Mansion Dak Bunglow Road, Patna- 800001.

... .. Petitioner/s

Versus

1. Central Bank of India having its Head Office at Mahatma Gandhi Road, Mumbai through its Chairman- cum- Managing Director.
2. Zonal Manager Central Bank of India, Zonal Office, Maurya Lok Complex, Patna.
3. Regional Manager Central Bank of India, Regional Office, Maurya Lok Complex, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar, Advocate
For the Respondent/s : Mr.Ajay Kumar Sinha, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 17-10-2022 Petitioner has prayed for the following relief(s):-

“(i) For issuance of appropriate writ(s)/ order(s)/ directions (s) upon the respondent Bank to pay appropriate mesne profit or compensation at market rate for use and occupation of the premise by the respondent Bank for period from 01.03.1986 till date of vacation i.e. on 04.04.2019.

(ii) For issuance of appropriate writ/ direction for appropriate



compensation for destruction of building for lack of up-keep and non-maintenance of the premises during the occupation by respondent as also for payment of arrears of electric bill having fallen due on account of non-payment by them till date of vacation of and for direction to the respondents for return of the original title deed of the premises to the petitioners.

(iii) For issuance of appropriate writ(s)/order(s)/ direction (s) upon respondents for which the petitioners may in the facts and circumstances of this case be entitled to.”

Learned counsel for the petitioners does not press the present petition. However, while not pressing the present petition, learned counsel for the petitioners states that petitioner shall approach respondent No. 2, namely Central Bank of India having its Head Office at Mahatma Gandhi Road, Mumbai through its Chairman-cum-Managing Director, for return of the documents.

Learned counsel for the respondents states that from the petition it cannot be made out as to what documents are required to be returned to the petitioner.

Be that as it may, since the petitioner does not press the present petition, petition is disposed of as not pressed in the following mutually agreeable terms:

(a) Petitioners shall approach the authority concerned



i.e. Respondent No.2, namely namely Central Bank of India having its Head Office at Mahatma Gandhi Road, Mumbai through its Chairman-cum-Managing Director within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of four months from the date of its filing along with a copy of this order;

(c) The order assigning reasons shall be communicated to the petitioners;

(d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(f) Equally, liberty is reserved to the petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;



(g) We are hopeful that as and when petitioners take recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(h) Liberty reserved to the petitioners to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

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