

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4826 of 2022

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Shamima Khatoon @ Samima Khatoon D/o- Sahabuddin, resident of Village-
Lodipur, P.O. and P.S.- Khusrupur, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through its Secretary, Ministry of Finance, New Delhi.
2. The Central Bank of India, Chandra Mukhi, Nariman Point, Mumbai- 400 021.
3. The Managing Director, Central Bank of India, Chandra Mukhi, Nariman Point, Mumbai- 400 021.
4. The Zonal Manager, Central Bank of India, Maurya Lok, Patna- 800 001.
5. The Regional Manager, Central Bank of India, Maurya Lok, Patna- 800 001.
6. The Branch Manager, Central Bank of India, Gyaspur Branch, Bakhtiyarpur, District- Patna.
7. Sri Pramod Sharma, Father s name not known, the then Branch Manager, Central Bank of India, Gyaspur Branch, Bakhtiyarpur, District- Patna through its present Branch Manager.
8. Sri Dharamvir Yadav @ Dharmi, son of Jugeshwar Singh, resident of Village- Hidayatpur, P.O. and P.S.- Shalimpur, District- Patna.
9. The Central Bureau of Investigation through its Superintendent of Police, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Prasad, Advocate
For the Respondent/s	:	Mr. Ajit Kumar Sinha, Advocate
		Mr. Murlidhar Mishra, Advocate
		Mr. Rajiv Nayan Singh, Advocate
		Mr. Arvind Kumar, Advocate
For the C.B.I.	:	Ms. Nivedita Nirvikar, Sr. Advocate
		Mr. Pratyush Kumar, Advocate

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

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 10-05-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

1. That this is an application for issuance of a writ in the nature of Mandamus and/or any other appropriate writ, order or direction commanding upon the respondents Central Bank of India and its Authority to hold inquiry in the present matter which is apparently a big scam and fraud played by the respondent no. 8 (Dharamvir Yadav @ Dharmi) in connivance with the then Branch Manager (Respondent No.7) namely Pramod Sharma and further to direct the respondent no.9 Central Bureau of Investigation to register a case and on investigation to its logical end so as to the scamesters may be punished for their fraudulent and illegal act and further for direction to the respondents-Bank not to take any step for recovery of any amount which is alleged to have been given to the sufferers as loan.

After the matter was heard for some time, finding the

Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned, **respondent no.6, Branch Manager, Central Bank of India, Gyaspur Branch, Bakhtiyarpur, District, Patna** to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of on the following terms:-

(a) Petitioner shall approach the authority concerned 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 petitioner;

(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 petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(g) We are hopeful that as and when petitioner takes 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 petitioner 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;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/- Ranjan

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.05.2022
Transmission Date	NA