

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6558 of 2019

=====

Santosh Kumar, male, aged about 42 years, Son of Jang Bahadur Singh R/o
Jai Prakash Nagar, Telia Pokhar, P.S.-Aurangabad, District-Aurangabad

... .. Petitioner/s

Versus

1. Zonal Manager Canara Bank, 4th Floor, Luv Kush Tower, Exhibition Road,
Patna, Bihar 800001
2. The Branch Manager Canara Bank, Aurangabad Branch, P.S.-Aurangabad,
District-Aurangabad
3. Shri Mati Nonngan Bangsu wife of Doi Tarak Opposite Green Park,
Residential School, Lower Modal Village, P.S.-Nahariagun, District-Papun
Pare, State-Andhra Pradesh

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate
For the Respondent/s : Mr. Rajan Ghoshrahe, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 17-10-2022

The petitioner has prayed for the following relief/s

:-

“i. That the present writ application is being filed in the nature of mandamus for a direction to de-freeze the account of the petitioner bearing account no. 3135021000247 is existing in the name of the M/S Jai Mahakal Construction (Proprietor Santosh Kumar) existing in Canara Bank, Aurangabad Branch, Bihar, on the ground that the account of the petitioner has been freezed without any show cause notice, without giving opportunity of the hearing to the petitioner;

ii. That the present writ application is



being filed in the nature of Mandamus for a direction to the bank official especially the Branch Manager to give time to return the money to the actual owner in the light of the prevailing fact and circumstances of the case;

iii. For issuance of any other relief or relief(s) for which the petitioner is entitled for.”

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expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.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)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	19/10/2022
Transmission Date	

