

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9797 of 2021

1. Shatrudhan Ray, Son of Shibam Ray, Resident of Village-Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
2. Ranjeet Kumar Ray, Son of Sita Ram Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
3. Amarnath Ray, Son of Nehali Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
4. Radhe Shayam Ray, Son of Rambabu Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
5. Bhola Ray, Son of Naga Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
6. Rajeev Kumar Ray, Son of Bhola Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.
7. Rakesh Ray, Son of Surendra Prasad Ray, Resident of Village- Kursaha, Police Station- Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Finance, Government of India, North Block, Cabinet Secretariat, Raisina Hill, New Delhi.
2. The Secretary, Agriculture, Government of India, Department of Agriculture, Cooperation and Farmers Welfare, Kishi Bhawan, Dr. Rajendra Prasad Road, New Delhi- 110001.
3. The Governor, Reserve Bank of India, Government of India, Central Office Building 18th Floor, Shahid Bhagat Singh Road, Mumbai- 400001.
4. Regional Director, Reserve Bank of India, Regional Office, South Gandhi Maidan, Patna- 800001.
5. Banking Ombudsman, Reserve Bank of India, Office of the Banking Ombudsman, South Gandhi Maidan, Patna- 800001.
6. The Secretary, Agriculture Department, Government of Bihar, Patna.
7. The Development Officer, NABAR Regional Office, at Mauryalok Complex, Block B4 and 5 Floors, Dak Bunglow Road, Patna- 1.
8. General Manager, Reserve Bank of India, Finance Inclusion, Development Department Consumer Education and Projection Cell, South Gandhi Maidan, Patna 800001.
9. The Deputy General Manager, Reserve Bank of India, Department of Banking Supervision, South Gandhi Maidan, Patna 800001.
10. The Chairman, IDBI Bank, IDBI Tower, WTC Complex Cuffe Prade, Colaba, Mumbai, Maharashtra, 400005.
11. The M.D. and C.E.O., IDBI Bank, IDBI Tower, WTC Complex Cuffe Prade, Colaba, Mumbai, Maharashtra, 400005.
12. The Filed Chief General Manager, FCGM Kolkata Zone, IDBI Bank



- Limited, 44, Shakespeare Sarani, Kolkata- 700017 (W.B.).
13. The General Manager, GRO IDBI Bank Limited, 44, Shakespeare Sarani, Kolkata (P.B. No. 16102) Pin Code 700017 (W.B.).
 14. IDBI Bank Ltd. Regional Office Bihar, 3rd Floor, Kashi Place, Dak Bungalow Road, Patna 800001.
 15. IDBI Bank Regional Office, Musahri, Muzaffarpur, Bihar 842001.
 16. Branch Manager, IDBI Bank Ltd., Mahnar Bazar, Ward No. 4, Above State Bank of India, Mahnar (Vaishali) Bihar, Patna 844506.
 17. The Chief Secretary, Government of Bihar, Patna.
 18. The D.G.P., Government of Bihar, Patna.
 19. The District Magistrate, Hajipur.
 20. The District Magistrate, Samastipur.
 21. The S.P. Vaishali at Hajipur.
 22. The S.P. Samastipur.
 23. The District Registrar, District Registry Office, Samastipur.
 24. The Sub Registrar, Sub Registry Office, Dalsing Sarai, District- Samastipur.
 25. The Circle Officer, Mohiuddin Nagar, District- Samastipur.
 26. The Circle Inspector, Mohiuddin Nagar, District- Samastipur.
 27. The Revenue Clerk, Halka Kursaha, Revenue Village- Mohiuddin Nagar.

... .. Respondent/s

Appearance :

For the Petitioners	:	Mr.Ajay Kumar Singh, Advocate
For the Union of India	:	Dr. K.N. Singh (ASG)
For the State	:	Mr. Prabhat Kumar, A.C. to G.A.-11
For the IDBI Bank	:	Mr. Jitendra Kumar Roy, Advocate Mr. Shivendra Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

3 24-02-2022 The petitioners are seeking a direction to the respondents to protect their interest as they have been duped by the Circle Officer, Mohiuddin Nagar (Respondent No.25), Circle Inspector, Mohiuddin Nagar (Respondent No.26) and the



Revenue Clerk of the Revenue Village Mohiuddin Nagar
(Respondent No.27) under the district of Samastipur.

The petitioners assert that they are poor, uneducated and landless persons. They allege that Respondent Nos.25, 26 and 27 have connived and withdrawn a huge amount in the names of the petitioners from IDBI Bank, using fake papers of *Jamabandi* and land possession certificates. Allegedly the money was withdrawn during the financial year 2016-17.

Learned counsel for the petitioners submits that this Court should direct an enquiry into the conduct of the said Respondent Nos.25, 26 and 27.

In our opinion, this writ application is misconceived. If, according to the petitioners, they have been cheated and any amount has been withdrawn in their names fraudulently, they could have approached the police by filing F.I.R. or appropriate court by filing a complaint case. They have approached this Court after notices have been issued to them by the Bank for refund of the money. The petitioners were free to take appropriate plea before the Bank refuting their liability which they have not done.

As the petitioners have not taken any step and have approached straightaway to this Court, this application deserves



to be dismissed and stands dismissed accordingly.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

PNM

U			
---	--	--	--

