

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6279 of 2022

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Saurabh Suman Son of Saurabh Suman, Resident of Village - Baherwagachhi,
P.O. and P.S. Nayagaon, District - Saran at Chapra.

... .. Petitioner/s

Versus

1. The Bihar State Co-Operative Bank Ltd. Ashok Raj Path, Patna through the Chairman.
2. The Chairman, The Bihar State Co-Operative Bank Ltd. Ashok Raj Path, Patna.
3. The Managing Director, The Bihar State Co-Operative Bank Ltd. Ashok Raj Path, Patna.
4. The Deputy General Manger The Bihar State Co-Operative Bank Ltd. Ashok Raj Path, Patna.
5. The Branch Manager, The Bihar State Co-Operative Bank Ltd. Chapra Branch, Chapra.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh, Advocate
For the Respondent/s : Mr.Bindhyachal Rai, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 20-06-2022

Heard learned counsel for the parties.

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

(I)	For issuance of an appropriate writ in the nature of CERTIORARI for quashing the order dated 22.02.2022 contained in Ref. No.337 dated 22.02.2022 issued under the signature of the Respondent no.4 whereby and where under he has been pleased to direct the Respondent no.5 to not make payment to the petitioner against his Lakshuni Deposit Amount.
(II)	For issuance of an appropriate writ in the nature of MANDAMUS , commanding and directing the Respondent

- Bank to transfer the matured amount which was deposited by the petitioner under the Scheme of Lakshmi Deposit being LED No. 001136016100006 and 001136016100008 in his Saving Bank Account No. 001134012100004 as also permit the petitioner to withdraw the same from his saving account on the ground that the said fixed deposit had already matured and the petitioner has dire need of money for treatment of his ailing mother as well as his livelihood .
- (III) For issuance of an appropriate writ in the nature of **MANDAMUS** , commanding and directing the Respondent Bank to make payment of the aforesaid amount with up-to-date interest after the date of its maturity on the ground that the delay in payment has been occurred due to laches on the part of the petitioner.
- (IV) For issuance of any other appropriate writ/writs ,order /orders, direction/directions for which the writ petitioner shall be found entitled under the facts and circumstances of the case.

Petitioner contends that the petitioner's appeal against the order of dismissal is pending consideration before the appellate authority.

Shri Vijay Kumar Singh, learned counsel for the petitioner states that if the petitioner were to fully cooperate and appear before the appellate authority on 4th of July, 2022, the said appeal shall be considered and decided expeditiously and positively within a period of two months therefrom.

Statement accepted and taken on record.

As agreed upon, the petition is disposed off with a direction to the appellate authority to positively decide the appeal within a period of two months, in accordance with law.

It stands clarified that in the event of petitioner being absolved, the amount in terms of the fixed deposit scheme

(Laxmi), shall be remitted into the petitioner’s account.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	