

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8368 of 2022

=====

Naresh Kumar Thakur Son of Late Madhusudan Thakur village and Post and
Police Station-Pear, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The General Manager, Bank of Baroda, Bombay, at City Back office at 5th Floor, Bank of Baroda Building 10/12 Mumbai Samachar Marg, Fort Mumbai-400023.
2. The Branch Manager, Bank of Baroda, Branch at Bihat Zero Mile Post and Police Station Barauni, District-Begusarai, Pin Code-851135.
3. The Branch Manager, H.D.F.C. Bank Rewa Branch Code 001059, at Shilpi Plaza, Pili Kothi Road Rewa 486001 Madhya Pradesh.
4. Mr. Narayan Kumar Singh, C/o H.D.F.C. Bank Rewa (M.P) holding Book Account No. 60100453070367 of HDFC Bank Rewa-486001.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Adv
For the Respondent/s : Mr.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 28-07-2022

Heard learned counsel for the parties.

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

1. That this is an application for direction to the General Manager Bank of Baroda Mumbai or Branch Manager, Bank of Baroda Bihai, Begusarai the Respondent no. 1 or 2 to this petition to deposit the sum of Rs. 489757.00 drawn from the account of the petitioner using forge Cheque by the Respondent No. 4 Narayan Kumar Singh, in connivance with the Baroda Bank, When of the original Cheque which is still with the petitioner even today and

the Baroda Bank Head Office Bombay and Branch office Begusarai accepted the said forge cheque as true and found fit for payment and paid without verifying the cheque and following the procedure of "positive page system of the Bank" i.e. confirmation of issue of so heavy cheque to the account holder before payment of cheque to the person or Bank produced for payment .

After the matter was heard for some time, finding the Court not to be in favour with the submissions made across the Bar, learned counsel for the petitioner, more so in view of the disputed question of fact, fairly states that petitioner be permitted to take recourse to such equally, efficacious alternative remedies/consumer forum, as are available in accordance with law.

Permission granted.

Petition stands disposed of in the aforesaid terms.

We clarify that we have not adjudicated the dispute on merits. All questions of fact and law are left open to be agitated and adjudicated before the appropriate forum in appropriate proceedings.

Petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

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