

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14723 of 2019

=====

M/s Brite Computers, a Proprietorship Firm having its Place of Business at Sokhara-II, Rajendra Road, Barauni, Begusarai through its Sole Proprietor, Smt. Meera Devi Agrawal (Female), aged about 50 years, wife of Shri Durgesh Agrawal, Resident of Sokhara-II, Rajendra Road, P.S. Barauni, Begusarai

... .. Petitioner/s

Versus

1. The Union of India through the Under Secretary, Ministry of Finance, Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi
2. The Connect Centre Standup India Scheme, through its Agency namely, District Development Office, NABARD, Gopal Sadan, C/o Sri Ramnaresh Singh, (West of Deepshikha Cinema), Srikrishna Nagar, Begusarai-851101
3. The Help Centre (Monitoring) Standup India Scheme, through Agency namely, District Industries Centre, Barauni, Begusarai
4. The Chairman United Bank of India having its Office at 11, Hemant Basu Sarani, Kolkata-700 001
5. The Regional Manager United Bank of India, 2nd Floor, Abhay Bhawan, Frazer Road, Patna-800 001
6. The Regional Manager United Bank of India, Dr. Rajendra Prasad Path, Katihar-854 105
7. The Branch Manager United Bank of India, Barauni Branch, Rajendra Road, Barauni, Begusarai-851 112
8. Shri Shailesh Kumar Jha (Erstwhile Bank Manager UBI, Barauni), presently posted as Regional Manager, UBI, Katihar

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Ms. Priya Gupta, Advocate
For the Respondent/s	:	Mr. S.D. Sanjay (ADSG)
For the Bank	:	Mr. Binod Bihari Sinha, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-12-2022

Petitioner has prayed for the following relief(s):

“i] For issuance of a direction specifically upon



the Respondent No. 1 directing them to take appropriate steps for implementation of its scheme, namely Stand Up India Scheme, which was launched by the Hon'ble Prime Minister of India on 05.04.2016 aiming to facilitate bank loans for an amount minimum of Rs. 10,00,000/- upto Rs. 1 crore to the eligible candidates as per the Stand Up India Scheme floated by the Respondent No. 1;

ii] For issuance of a direction specifically upon the Respondent No. 1, 2 & 3 to provide for the rates of interest and other charges to be paid upon the loan availed under the Stand Up India Scheme and also to provide the list of required documents and procedure for availing loan under the said scheme,

iii] For issuance of a direction specifically upon the Respondent No. 2 & 3 directing them to take proper steps and monitor the Stand Up India Scheme for which they have been duly appointed by the Respondent No. 1 under the said Scheme and further direct them to redress the grievances raised by the Petitioner, vide its detailed Representation dated 10.05.2019;

iv] For issuance of a direction upon the Respondent No. 4 to 7 directing them to provide the loan documents and other connected documents submitted by the Petitioner in availing Cash Credit loan to the tune of Rs.10,50,000/- from Respondent No. 7 for running its business;

v] For issuance of a direction specifically upon Respondent No. 4 to 7 directing them for initiating a departmental proceeding against the erstwhile Bank Manager, impleaded as Respondent No. 8 in



the present Writ Application for violation of provisions of Core & Policy of Bank;

vi] For issuance of a direction upon Respondent No. 4 to 7 to set up a investigation upon the activities and worked done by the Respondent No. 8 (erstwhile Branch Manager of Respondent No. 7) and also to provide the details as to how and under what authority an amount of Rs.11,000/- was admittedly deposited in the Cash Credit Current Account of the Petitioner on 29.12.2018 and the same was withdrawn with no consent/ authorization by the Petitioner and to hold guilty the Respondent No. 8 for the said illegal act and misappropriation and fraud done by the Respondent No. 8 upon the Petitioner;

vii] For issuance of a direction upon the Respondent No. 4 to 7 directing them to dispose off the Representation dated 10.05.2019 preferred by the Petitioner for the grievances raised in the said Writ Petition and to further direct them to compensate the Petitioner for the damages and loss to the tune of Rs.20,00,000/- suffered by the Petitioner due to arbitrary act of the Respondent No. 8 being posted at the seat of Respondent No. 7 with liberty upon the Respondent No. 4 to 7 to recover the same from Respondent No. 8;

viii] For issuance of a direction upon the Respondent No. 4 to 7 to provide the rate of interest, other ancillary charges/ fine, deductions made from the Cash Credit Loan A/c. No. 0048250021711 operating at Respondent No. 7 and also to provide the rates of interest chargeable upon



the loans sanctioned under the Stand Up India Scheme; and/or for any other relief(s) for which the Petitioner may be found entitled to in the facts and circumstances of the present case.”

Learned counsel for the petitioner does not press the present petition reserving liberty to initiate appropriate action in accordance with law.

Liberty granted.

Needless to add, as and when any such process is initiated, the same shall be decided expeditiously, in accordance with law.

The present petition stands disposed of as not pressed.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Saurabh/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.12.2022
Transmission Date	

