

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 18111 of 2021

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M/s Medicine Palace through the Proprietor Anjani Kumar Singh aged about 62 Years, Male Son of Late Ramchandra Prasad Singh, Proprietor Ship firm Situated at-West Boring Canal Road, P.O.-G.P.O., P.S.-S.K. Puri, District-Patna. Resident of-6/102, Indrapuri, P.O.-Keshri Nagar, P.S.-Patliputra, District-Patna-800024,

... .. Petitioner/s

Versus

1. The Bank of India through its Branch Manager, S.K. Nagar Branch, M-22, Road No. 25, S.K. Nagar, Patna.
2. Shri Uma Shankar Singh Son of Shri Purushottam Prasad Singh Resident of Village and P.O. Harail, P.S.-Mohiubdinnagar, District-Samastipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Durgesh Kumar Singh, Advocate
For the Respondent/s	:	Mr.Raj Nandan Prasad, Advocate

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

Date : 29-06-2022

Heard learned counsel for the parties.

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

“That this is an application for issuance of a writ in the nature of mandamus and/or an appropriate writ, commanding the respondent no. 1 to release the earnest money and security money amounting to Rs. 13,70,000/- in favour of the petitioner and/or pass such order/orders, for which the petitioner is legally entitled too.”

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned i.e. **(Respondent No. 1, The Bank of India through its Branch Manager, S.K. Nagar Branch, M-22, Road No. 25, S.K. Nagar, Patna) or any of the statutory authority** to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of four months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of the grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order

preferably within a period of four months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;

(e) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;

(g) Liberty reserved to the petitioner to approach the appropriate forum, if the need so arises subsequently on the same and subsequent cause of action;

(h) We have not expressed any opinion on merits. All issues are left open;

(i) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e.

physical mode;

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	