

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13821 of 2022

1. M/S Raj Traders through its Proprietor Shrimati Poonam Kumari (F) aged about 44 years, Wife of Ajit Kumar Singh, resident of Arya Samaj Mandir, Paschim Tola near Mahavir Sthan, Ara, P.S.-Ara Town, District-Bhojpur.
2. Shrimati Kaushalya Devi, Wife of Late Nagendra Nath Singh, resident of Arya Samaj Mandir, Paschim Tola near Mahavir Sthan, Ara, P.S.-Ara Town, District-Bhojpur.

... .. Petitioner/s

Versus

1. The Zonal Manager, Punjab National Bank Second Floor, R-Block, Near Chanakya Hotel, Veer Chand Patel Paqth, Patna, Bihar.
2. The Circle Head, Punjab National Bank near Regal Hotel, Ramna Maidan, Ara, Bhojpur.
3. The Authorized Officer cum Chief Manager, Punjab National Bank Circle Office near Regal Hotel, Ramna Maidan, Ara, Bhojpur.
4. The Branch Manager, Punjab National Bank, Post-Koelwar, District-Bhojpur.
5. The Registrar-cum-D.M. Ara, Bhojpur.
6. The Sub-Divisional Officer, Ara, Bhojpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza, Advocate
For the Respondent/s : Mr.Mritunjay Kumar, Advocate

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

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 16-09-2022

Heard learned counsel for the parties.

Petitioners have prayed for the following relief(s):-

1. That this writ application is being filed for quashing the letter dated 01.04.2022 issued by Authorized Officer of Punjab National Bank(Respondent 3) wherein in reply to letter dated 16.03.2022 whereby No Dues Certificate and return of original Document was demanded by the petitioner no-1 in view of Hon'ble High Court order dated 14.02.2022 passed in C.W.J.C. 524 of 2022 (M/S Raj Traders & others vs. The Zonal Manager, Punjab National Bank & others) after depositing the due amount Rs.30,85,000 (30lacs 85 Thousands) to which respondents no.3 disagreed and demanded Rs.42,89,365.01 (Rs.42lacs 89 thousands three hundred sixty five point one) (due amount Rs 42,24,365.01+65,000 Legal expenses of auctioning secure property settling the account and further petitioner seek direction for issuance of no dues certificate and original document/documents kept with the Bank.

After the matter was heard for some time, learned counsel for the petitioners, under instructions, states that petitioners shall be content if a direction is issued to the authority concerned i.e. **respondent no. 3, The Authorized Officer cum Chief Manager, Punjab National Bank Circle Office near Regal Hotel, Ramna Maidan, Ara, Bhojpur** or any of the statutory authority to consider and decide the representation which the petitioners 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 petitioners, 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) Petitioners 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 petitioners to take recourse to such alternative remedies as are otherwise available in accordance with law;

(f) We are hopeful that as and when petitioners take 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 petitioners 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, 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	