

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14184 of 2022

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1. M/s Glass Brokery through its sole proprietor and owner Sanjay Kumar Sharma having its registered office at Gandhi Chowk, Gorkha Road, Chhapra (Bihar).
 2. Sanjay Kumar Sharma, S/o Late Prabhu Nath Sharma, R/o - 88 Gandhi Chowk, Garkha Road, Chhapra 841301, (Bihar).

... .. Petitioner/s

Versus

1. Canara Bank through its Regional Manager, Regional Office, 2nd Floor, Maurya Tower Maurya Lok Complex, Patna 800001.
2. The Branch Manager, Canara Bank, Gandhi Chowk, Chota Telpa, Chhapra Branch, Chhapra, Bihar 841301.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha, Advocate Mr. Rajesh Ranjan, Advocate Mr. Aman Raj, Advocate Mr. Abhishek Kumar Pandey, Advocate Mr. Sachin Kumar, Advocate
For the Respondent/s	:	Mr. Rajan Ghoshrave, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 14-11-2022

Heard learned counsel for the parties.

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

- i. For direction upon the respondent Bank Authorities to release the securities/ mortgage title deed given as security at the time of availing loan under loan A/c No. 1968728002291 on account of settlement of loan under OTS scheme;



- ii. For a direction upon the Respondents to compensate with damages for harassing the old aged, ailing Petitioner from cardiac ailments by not releasing the security even after the settlement of the outstanding dues under the One Time Settlement Scheme.
- iii. For passing any such Order(s)/ Direction(s)/ Judgment as your lordship may deem fit and proper in the facts and circumstances of this case.

We are of the considered view that the respondents having accepted the amount in terms of the OTS Settlement, the petitioners are entitled for return of the documents in original, including the Title Deed(s).

As such, we direct the Respondent No. 1, namely Canara Bank through its Regional Manager, Regional Office, 2nd Floor, Maurya Tower Maurya Lok Complex, Patna 800001 and Respondent No. 2, namely, The Branch Manager, Canara Bank, Gandhi Chowk, Chota Telpa, Chhapra Branch, Chhapra, Bihar 841301, to forthwith, and not later than two weeks from today, return the documents to the petitioners.

Petition stands disposed of in the aforesaid terms, reserving liberty to the petitioners to file a fresh petition on the same and subsequent cause of action, should the need so arise subsequently.



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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	15.11.2022
Transmission Date	

