

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14663 of 2022

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M/s Aman Modern Mini Rice Mill Through its Proprietor, Risha Gupta, Female, aged about 36 Years, W/o Manish Kumar Gupta, Resident of Muhalla- New Dillian, Old G.T. Road, P.S.- Dehri (T), District- Rohtas (Bihar).

... .. Petitioner/s

Versus

1. The Senior Manager, Punjab National Bank Dalmianagar, Dehri, Rohtas, (Bihar).
2. The Branch Manager, Punjab National Bank, Dalmianagar, Dehri, Rohtas, (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jai Prakash Singh, Advocate
For the Respondent/s	:	M/s Mritunjay Kumar, Advocate Shilpi Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 01-11-2022 Heard learned counsel for the parties.

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

(i) For a direction to the Respondent Bank to grant some more time to the petitioner to deposit the rest amount of Rs. 8,67,000/ out of Rs 11,67,000/ the petitioner has already paid Rs 3,00,000/ to the bank as per the settlement.

(ii) For commanding the Respondent Bank to take lenient view against the petitioner for recovery of amount whereas the petitioner has already deposited more than 20% in the current situation of worldwide Covid-19 pandemic in which



all the Business /enterprises are facing difficulties.

(iii) For any other relief/reliefs for which the petitioner is entitle for.

Learned counsel for the petitioner states that the petitioner is ready and willing to comply with the terms of the settlement.

It is always open for the petitioner to approach the respondents or to take recourse to such other remedies as are otherwise available under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, in accordance with law.

At this stage, learned counsel for the petitioner states that the petitioner shall approach respondent no. 2, namely, The Branch Manager, Punjab National Bank, Dalmianagar, Dehri, Rohtas, (Bihar).

As such, we dispose of the present petition on the following mutually agreeable terms:-

(a) Petitioner shall approach the authority concerned i.e. Respondent No. 2, namely, The Branch Manager, Punjab National Bank, Dalmianagar, Dehri, Rohtas, (Bihar) 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 three 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) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) 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;

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

(g) We have not expressed any opinion on merits of the matter. All issues are left open;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request expeditiously and preferably within a period of three months from the date of its presentation.



The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Spd/-

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