

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17257 of 2022

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Vinod Kumar @ Binod Kumar Son of Late Chunnu Prasad, Resident of Gudri Road, Gidri Bazar, Pokhara Mohalla, P.O. and P.S. Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India Through its Chief General manager, Central Office, Yogakstoma, Jeevan Beema Marg, Nariman Point, Mumbai.
2. The Zonal Manager, Life Insurance Corporation of India Zonal Office, East Central Zone, Jeevandeep Building, Patna.
3. The Senior Divisional Manager, Patna Divisional Office Life Insurance Corporation of India, Jeevan Prakash, Frazer Road, Patna.
4. The Manager (E and OS) Life Insurance Corporation of India, Hajipur Branch at Hajipur.
5. The Chief Branch Manager, Life Insurance Corporation of India Hajipur Branch at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Soni, Advocate

For the Respondent/s : Mr.Rajan Ghoshrahe, Advocate

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

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 16-12-2022

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-

“i) For a direction to the respondents to



pay the arrears of the rent i.e. Rs. 1,35,33,003/- at the rate of Rs.4,29,165/- per month for the period of 43 months till Feb. 2019 to date and further periods to its continuation and accept the proposal of the petitioner for renewal of the lease agreement for the period 2019 to 2024 appertaining to 9537 square feet of property appertaining to Khata No.528/181 ,plot no.556,557,558, Thana no.164 at Soni Alankar Complex situated at Gudri Road. Hajipur whereby and where under the respondents after seeking fresh proposal of renewal of lease and receiving the same have kept the renewal on hold and engaging the benefits of lessee at the old rate i.e. Rs. 1,14,444/- per month of the lease deed for the period 2014 to 2019.

(ii) For setting aside the notice dated 23.10.2022 issued under the signature of Senior Divisional Manager whereby and where under the respondents after keeping the sought proposal of the petitioner on hold are seeking office premises of area 7000-8000 square feet on lease regarding the Branch Office Hajipur which is present situated in the property of the petitioner.

And for any other reliefs petitioner is sought to be entitled for.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to respondent No.3, namely, the Senior Divisional Manager, Patna Divisional Office Life Insurance Corporation of India, Jeevan Prakash, Frazer Road, Patna, venting out the grievances, subject-matter of the



present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

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.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Ashwini/Sujit

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