

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1059 of 2020

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Narendra Kushwaha @ Narendra Singh Kushwaha @ Narendra Kumar Singh
S/o Late Chandi Prasad Singh Resident of Village and P.o.- Dhangai, P.s.-
Bikramganj, District- Rohtas, presently residing at 101, Indu Enclave
Apartment, Nandan Puri, Maurya Path, Khajpura, Patna-14

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Department of Human Resources (HRD), Govt. of India, New Delhi
2. The Secretary Department of Human Resources (HRD), Govt. of India, New Delhi
3. The Secretary Department of Finance, Banking Division, Govt. of India, New Delhi
4. The Chief General Manager Reserve Bank of India, South Gandhi Maidan, Patna
5. Central Bank of India through its Chairman cum Managing Director, Central Office Chandramukhi, Nariman Point, Mumbai-400021
6. The Chairman cum Managing Director Central Bank of India, Central Office Chandramukhi, Nariman Point, Mumbai, 400021
7. The Zonal Manager Central Bank of India, Maurya Lok, Patna
8. The Regional Manager Central Bank of India, Regional Office, Maurya Lok, Patna
9. The Branch Manager Central Bank of India, Branch Bikramganj, District-Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Subash Kumar, Advocate
For the Respondent/s	:	Mr. S. D. Sanjay (AD SG)

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

Date : 06-09-2022

Heard learned counsel for the parties.

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

(s) for commanding the respondents Central Bank of India authorities.

(a) For providing total interest subsidy against the education loan taken by Economically weaker section (EWS) student Kumar Gaurav, the son of petitioner, under the I B A Educational Loan Scheme to pursue M B A and PGPM courses of studies under the Government of India's Central Scheme to provide interest subsidy (CSIS).

(b) For further direction specially to the Regional Manager Central Bank of India, Regional Office Patna, to charge the interest upon the Education Loan of petitioner's son by considering the Guidelines for providing relief on interest as per announcement made by

Finance Minister in Para 64 of the Budget Speech 2014 - 15 a like to other Nationalized Bank which have followed the aforesaid guidelines of Government of India.

- (c) For quashing the Letter No. RO: Patn: Credit: 2018 - 19 : 899 dated 22.02.2019 issued by K.K. Kala, Regional Manager, Regional Office, Central Bank of India, Patna (contained in Annexure 12). by which the Bank has put a demand for the recovery of the entire amount without giving the previledge of Circular / guideline issued by the government of India (Annexure 1).
- (d) For directing the Central Bank of India authorities to stop arbitrary and illegally charging more interest rate

and deducting credit amount on the name of URI CAPITALISED from credit loan Account of Petitioner's son.

- (e) For any other relief or reliefs to which this petitioner may be found entitled to the facts and circumstances of this case,

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. 7, The Zonal Manager Central Bank of India, Maurya Lok, 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)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	