

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1758 of 2020

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Gorakh Nandan Vishwakarma, Son of late Ram Nath Vishwakarma, Resident of Shoshila Bhawan, B-59, Birla Colony, Phulwarisharif, Police Station-Phulwarisharif, District- Patna. Sanjojak Suchna ka Adhikar Munch, B, 59 Birla Colony, Phulwarisharif, Patna -5.

.. ... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Bihar Govt., Patna.
2. The Union of India through the Secretary, Finance Department, Govt. of India, New Delhi.
3. The Deputy Chief Officer, Reserve Bank of India, Department of Banking Operation and Development, Centre-1, World Trade Centre Cuffe Parale Cola Ba, Bombay, 400005.
4. The Manager Reserve Bank of India, Patna South of Gandhi Maidan Patna Town and District- Patna.
5. The Zonal Manager, Punjab National Bank, R. Block, Chankakya Place, Patna-1.
6. The Deputy Zonal Manager, Punjab National Bank, R. Block, Chanakya Place, Patna-1.
7. The Secretary, Institutional Finance and Programme Implementation Department, Government of Bihar.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Md. Anisur Rahman, Adv.
For the Respondent/s	:	Mr.Raghwendra Kumar (Sc 22)
For Punjab National Bank:		Mr. Kumar Priya Ranjan, Adv.
		Mr. Ankur Apurv Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 14-07-2022

The present writ petition has been filed for commanding the Reserve Bank of India to direct for opening Branch of Punjab National Bank in village-Simri, District Patna, which though was opened earlier but has been shifted after ten years to another place.

2. The Ld. Counsel for the petitioner has



referred to a letter dated 05.08.1981 to submit that the Reserve Bank of India had authorized the Punjab National Bank to open an office at Simri, District Patna in the State of Bihar and pursuant thereto the Branch of Punjab National Bank was opened in the village Simri in the year 1981, however, suddenly in the year 1991, the same has been shifted to Bihta Air Strip. It is further submitted by the learned counsel for the petitioner that the Reserve Bank of India as also the Punjab National Bank be directed to consider the prayer of the petitioner to reopen a Branch office at Simri village.

3. Per contra, the learned counsel for the Respondent Bank has referred to the letter of the Punjab National Bank dated 06.05.2019, annexed as Annexure-13 to the present writ petition, to submit that the Branch office of the Punjab National Bank situated at village Simri, Patna has been transferred to Bihta (Patna) as per permission/ order received from the Reserve Bank of India vide letter dated 3.1.1994/ 8.4.1995 and if at all the account holders of the said Branch, who are residents of the said village Simri, are facing any problem, for their convenience, business correspondents of Punjab National Bank have been



deputed at/ near the village Simri to facilitate Banking service to the common man of the area. It is further submitted that the Branch office of Punjab National Bank at Bihta is hardly 15 minutes drive from village Simri, hence, a frivolous case has been set up by the petitioner with oblique motives.

4. I have heard the learned counsel for the parties and gone through the materials on record from which it is apparent that the branch office of the Punjab National Bank was shifted from village Simri to Bihta more than 30 years back, hence, now it is too late in the day to contend that the said Branch office of Punjab National Bank at Bihta should be shifted to Simri, Patna. Moreover, the records also bear it out that the branch office of Punjab National Bank was shifted from Simri to Bihta as per permission/ order received from the Reserve Bank of India, hence the petitioner has failed to point out any illegality in this regard. It is a trite law that the Courts should not interfere with the organizational decision/ policy decision/ commercial decision taken by the State/ institutions in as much as wisdom or countenance of such a decision can never be subject matter of judicial review. It is equally a well settled law that the court



cannot usurp the jurisdiction of decision maker in the garb of judicial review and such matter should be left for decision of those who are qualified to address such issues. This Court also finds from the materials on record that the petitioner has been pursuing a Vexatious litigation and has been unnecessarily filing RTI applications one after the other, which is deprecated by this Court. This Court also finds that the learned counsel for the petitioner or for that matter the petitioner himself have miserably failed to either point out or raise any legally tenable issue in the present writ petition, warranting consideration by this Court. In such view of the matter, this Court finds that the present writ petition is wholly misconceived and has been filed with ulterior motive, hence, is dismissed.

(Mohit Kumar Shah, J)

Tiwary/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	23.07.2022
Transmission Date	N/A

