

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1182 of 2023

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Lalima Devi Wife of Late Deep Narayan Sharma Resident of Village-
Chandhariya, P.S. Ghonshi, District- Jahanabad.

... .. Petitioner/s

Versus

1. The State Bank of India through its Chief Manager, Gandhi Maidan, Patna.
2. The Zonal Manager, SBI Zonal Office, Gandhi Maidan, Patna.
3. The Regional Manager, Regional Office, Gandhi Maidan, Patna.
4. The Branch Manager, SBI Branch Office, Masaurhi, District- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Kunal Tiwary, Adv. With Mr. Gauhar Ali, Adv.
For the Bank	:	Mr. Dr. B.B. Sinha, Adv. With Mr. Amarjeet Choudhary, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 21-03-2023

1. Heard the parties.

2. The petitioner has come again before this Court filing a writ petition praying for issuance of a writ commanding the respondents Bank to pay interest @ 12% per annum, for inordinate delay in releasing the amount of the F.D., registered in the name of the petitioner and her husband, which got matured on 16.12.2000.

3. Learned counsel appearing for the Bank consented to release the amounts and a direction was issued by this Court dated 03.02.2022 accordingly as under:-

“At the outset, counsel for the Bank submits that he shall seek instructions and apprise the Court about the reasons for inordinate delay in releasing the amount due of the Fixed Deposit. The Court shall also be informed whether interest should be payable



to the petitioner from the date of maturity i.e.,16th December, 2000. The Court shall also consider whether punitive cost is to be imposed on the Bank. In such eventuality, the cost would be recoverable from the officers responsible for inordinate delay.”

4. However, this Court finds that the question regarding maintainability of the writ petition itself was not gone into.

5. Personal claims of individuals, who have deposited any amount in any of the Banks cannot be a subject matter of writ jurisdiction. The claim which the petitioner is raising in a simple claim of money to be recovered from the respondents Bank, for which she has to approach the Civil Court by filing of a Money Suit. The writ jurisdiction is made exclusively for vindication of a fundamental right taken away by the respondents or any legal right prohibits from any statute.

6. So far as the consumers of a Bank are concerned, they have a separate remedy available to them in law.

7. The writ petition is found to be wholly frivolous and accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 8

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