

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3791 of 2018

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M/s. Khushboo Enterprises through its Proprietor Namely Ramanand Bhandari Son of Ram Jatan Bhandari Resident of Village Nagar Panchayat Ward No. 3 Jhanjharpur, P.S.- Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

1. The Central Bank of India Through The Regional Manager, Darbhanga
2. The Branch Manager, Central Bank of India Jhanjharpur, Madhubani.
3. The Field Officer Central Bank of India Jhanjharpur, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Sinha, Advocate Mr. Ajit Kumar Sinha, Advocate Mrs. Manju Jha, Advocate Miss Dilkash Khan, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 23-01-2023

Heard learned counsel for the parties.

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



That this is an application for issuance of an appropriate writ(s), Order(s), direction(s) for quashing the notice /order dated 18.03.2018 issued by the Branch Manager(Respondent no.2) addressed to the petitioner whereby and whereunder it has been directed to the petitioner that to deposit the rest amount amounting to Rs. 4,19050.00 + Interest in your debt account and also for quashing the consequential order dated 12.05.2017 though the petitioner had already deposited Rs. 7,26,000/-, after compromised hold in between the petitioner and respondent Branch manager in different dates in between the year 2012 and 2013 and respondents further be directed to not take any action against petitioner and to grant any other consequential benefits fr which petitioner may found entitled in accordance with law.

Leaving the issue of maintainability open, we allow the petitioner to approach Respondent No. 2, namely, The Branch Manager, Central Bank of India Jhanjharpur, Madhubani submitting a proposal, complete in all respect, for One Time Settlement of the dispute, waiver of interest in



terms of the policy of the Bank as also the guidelines of the Reserve Bank of India.

Learned counsel for the respondents has no objection to the same.

As and when any such request is received, the same shall be considered and decided expeditiously, in accordance with law, within a period of two months thereof, as per the policy of the Bank as also the guidelines of the Reserve Bank of India.

Obviously, such decision has to be on the basis of parity in relation to similarly situated persons.

In the event of petitioner failing to deposit the amount, within the agreed time, it shall be open for the bank to take appropriate action in accordance with law.

We clarify that we have not expressed any opinion on merits. All issues are left open.

Till such time proposal is pending with the authorities, no coercive action shall be taken against the petitioner.

The instant petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	25.01.2023
Transmission Date	

