

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2067 of 2018

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Udeshwar Yadav S/o Late Sadhu Sharan Yadav, Resident of Mohalla- Awas Board, Ranko near Koshi College, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

1. The Deputy Regional Manager, Bihar Gramin Bank, Sona Jageshwar Complex, Traffic Chowk, Begusarai
2. The Branch Manager, Bihar Kshetriya Grameen Bank, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate

For the Respondent/s : Mr. Ranjeet Kumar Pandey, 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

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

- (i) For issuance of any appropriate writ or writs, rule or direction, especially in the nature of mandamus to restrained the respondents not to put the mortgage property bearing khata no. 162, khesra no. 338, thana no. 269, tauzi no. 6964, measuring an area 2 katha, mauza Ranko, registry Sub-district – Khagaria bounded by north – Kedar Mishra, south – Road, East – Mila Devi, west –



Arjun Rajak, the residential premises of the petitioner as the petitioner is ready and willing to make payment of the demand of the respondents Bihar Grameen Bank in terms of the demand notice to the tune of Rs. 6,42,598/- in accommodative instalments within stipulated period of time as he is committed to do so.

- (ii) For issuance of any appropriate writ or writs, rule or direction as your lordships may deem fit and proper to the facts and circumstances of the case as well as for which the petitioner may be found entitled thereto.

Leaving the issue of maintainability open, we allow the petitioner to approach Respondent No. 2, namely, The Branch Manager, Bihar Kshetriya Grameen Bank, Khagaria 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	

