

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8501 of 2015

State Bank Of India

... .. Petitioner/s

Versus

1. The Bihar Human Right Commission
2. Chandra Madav Tiwari, New Bahadurpur, Road No. 13B, Near Shyam Mandir, Post Rajendra Nagar, Patna -

... .. Respondent/s

Appearance :

For the BHRC	:	Mr. Anjani Kumar, Sr. Adv. Mr. Utkarsh Bhushan Mr. Sanjay Kumar
For the SBI	:	Mr. Apurv Harsh Ms. Mahima Sharma Mr. Prashant Bhardwaj
For the Respondent	:	Mr. Sanjay Kumar (In person)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

7 30-01-2023 Heard learned counsel for the parties concerned.

The present writ application has been filed for quashing the order dated 06.04.2015 passed by the Chairperson, Bihar Human Rights Commission by which the petitioner/State Bank of India has been directed to pay a sum of Rs. 27,000/- to the complainant by way of compensation.

Learned counsel for the petitioner submits that the Commission has exceeded its jurisdiction in directing the State Bank of India to pay the compensation inasmuch as, in view of the provision prescribed under the sub-section 2 (1) (d) of the Protection of Human Rights Act, 1993 the Commission can only recommend appropriate government for award of compensation.



However, the petitioner without prejudice to its right and contention, has deposited a sum of Rs. 26,000/- awarded by the Human Rights Commission in favour of the Chandra Madav Tiwari by way of bank draft in this Court.

In view of the aforesaid, the present writ application is disposed as infructuous, without entering into the merit of the writ petition and without deciding the issue of jurisdiction of the Human Rights Commission raised by the petitioner.

Learned senior counsel for the Human Rights Commission submitted that a letter was issued by Deputy Secretary, Human Rights Commission to the Respondent No. 2, to come and receive the bank draft submitted by the State Bank of India and the Respondent No. 2 is present around the premises of this Court inasmuch as he is not able to move due to his physical condition.

The bank draft submitted by the petitioner-Bank is being handed over to Mr. Anjani Kumar, learned senior advocate appearing for the Human Rights Commission for handing it over in favour of respondent No. 2 to his satisfaction.

It is made clear that the jurisdiction of Human Rights Commission in awarding compensation in such cases shall be decided in appropriate case at the appropriate time.



Let the letter issued by the Deputy Secretary, Human Rights Commission and photocopy of other documents (Press Accreditation Card, Bihar Working Journalists Union card, Aadhar Card, Passbook etc.) be kept on record of this case.

(Anil Kumar Sinha, J)

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