

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15929 of 2021

Vijay Shankar Raut S/o Late Bashishth Raut, R/o Ward No.-7 Sursand (West),
P.O. and P.S.-Sursand, Distirct-Sitamarhi.

... .. Petitioner/s

Versus

1. The Zonal Manager, Bank of India, R-Block Chauraha, Near Hotel Chankya Tower, Patna.
2. The Branch Manager, Bank of India, Branch Sahasram, District-Sitamarhi.
3. The Chief Manager-Cum-Authorized Officer, Bank of India, Regional Office Muzaffarpur, Dist.-Muzzaffarpur.
4. The Regional Manager, National Insurance Company Limited, 4th Floor, Sone Bhawan, Birchand Patel Marg. Patna,800001.
5. The Area Manager, National Insurance Company Limited, NH-77, Sharif Colony, Sitamarhi, 843301.
6. Ther Branch Manager, National Insurance Company Limited, Branch Officer-Kargil Chawk, Dumra Road, Sitamarhi,843302.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajkumar Rajesh, Advocate
For the Respondent/s	:	Mr.Ajit Kumar Sinha. Advocate
		Ms Dilkash Khan, Advocate
		Ms Minu Kumari, Advocate
For National Insurance Company		Mr. Kumar Pankaj, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 31-01-2023 Petitioner has prayed for the following relief(s):-

“(i) For issuance of appropriate writ/writs for quashing the order dated 22.06.2020, bearing Ref.- Per/170609/TECH/158, issued under the signature of Respondent No-5 (As contained in Annexure-6) whereby and whereunder the



concerned respondent authority has rejected the claim of petitioner in wholly whimsical manner on oblique consideration without cogent rhyme and reasons, which is highly arbitrary, illegal, unconstitutional affecting the rule of law and administration of justice.

(ii) For that the respondent authorities, particularly respondent authority concerned may be further directed to duly consider the genuine claim of petitioner without any biasness, without any uncalled and unnecessary delay, for which is legally entitled.

(iii) For that the respondent authorities, particularly respondent authority concerned may further directed to pay the genuinely admitted dues of petitioner as claim, for which he is legally entitled within stipulated time frame with statutory interest till the date of payment.

(iv) For that the respondent authorities particularly respondent authority concerned, may further be directed to not make any uncalled hinderance in payment of genuine claim of petitioner, and not make any unnecessary delay in the said matter.

(V) For that petitioner may be granted any other Relief/Reliefs, for which he is found legally entitled by this Hon'ble Court light of present facts and circumstances of the case.”

After the matter was heard for some time, finding



the Court not in favour of the submissions made across the Bar, learned counsel for the petitioner, under instructions, states that the petitioner shall be content if the petitioner is permitted to withdraw the present petition, with liberty to initiate appropriate proceedings before the appropriate forum, including Consumer Forum, and to take recourse to such other alternate remedies which are equally efficacious in law.

Prayer allowed.

The petition is disposed of as withdrawn with the liberty aforesaid.

Liberty reserved to the petitioner to take recourse to such other remedies as are otherwise available in accordance with law.

It stands clarified that all issues of fact and law are left open to be agitated before the competent authority.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

K.C.Jha/DKS

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