

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14661 of 2022

Uday Kant Jha S/ob Late Ram Bhadra Jha, Resident of Village- North Dostiyan, (Khaira Pahari), Ward No.8, Post- Dostiyan, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner/s

Versus

1. Bank of India through its Chairman-cum-Managing Director, A.T.M. Cell, Star House, Bank of India, Bandra Kurla Complex (BKC), Mumbai.
2. The Chief General Manager Bank of India, (Zonal Office), R-Block Chauraha, Near Chanakya Hotel, Chanakya Tower, Patna.
3. The Zonal Manager, Bank of India, Muzaffarpur.
4. The Branch Manager, Bank of India, Kataiya Branch, Kataiya Chowk, Sheohar.
5. The Chairman-cum-Managing Director, NCR Corporation India Pvt. Ltd. 2nd Floor, Block-B, Godrej I.T. Park-2, Godrej and Boyce Complex, L.B.S. Road, Vikhroli West, Mumbai.
6. The Chief Manager, NCR Corporation India Pvt. Ltd. 88A, Road No.25, Kidwaipuri, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Suman Kumar Verma, Advocate
For the Respondent bank:	:	Mr.Ajit Kumar Sinha, Advocate
	:	Miss Dilkash Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-05-2023 The present writ petition has been filed seeking
the following reliefs :-

“ (i) For issuance of a writ in the nature of Mandamus commanding the appropriate respondent/ respondents to take effective steps forthwith for securing and ensuring removal of unauthorized and illegal occupation of the residential house/ premises of the petitioner situated in Dostiyan village under Purnahiya Police Station in the district



of Sheohar at the hands of Kataiya Branch office of the Bank of India located at Kataiya Chawk in the district of Sheohar being hand in glove and collusion with NCR Corporation India Pvt. a company incorporated under the Companies Act, 1956, which has installed an Automated Teller Machines (ATM) of the Bank of India, Kataiya Branch in the residential premise of the petitioner, under authorization, concurrence and agreement with the Respondent Bank of India in view of Non-payment of the monthly rental in favour of the petitioner in terms of the lease deed dated 02.07.2013 concluded between the petitioner and the NCR Corporation India Pvt. Ltd. by virtue of being the operating and Managing agent of the Respondent Bank taking into account an agreement between the Bank of India and the NCR Corporation.

(ii) For further issuance of an appropriate writ/ order/ direction upon the concerned respondent Bank authorities for ensuring payment of the arrears of the monthly rental as also current rent which has not been paid since March 2018 by NCR Corporation India Pvt. Ltd. acting and operating as the Managing agent/ instrument of the Respondent Bank in terms of the envisaged agreement of the Bank with the NCR Corporation against installation of the said



*Bank of India ATM centre operating within
the residential premises of the petitioner.”*

After some arguments, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies, as are otherwise available under the law. Liberty so sought, is granted.

The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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