

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6017 of 2024

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1. Basant Kumar, Son of Jay Nandan Ray, R/o Rahsa West, Vaishali.
 2. Mukul Kumar, Son of Ramdular Ray, R/o Muradpur, Vaishali.

... .. Petitioners

Versus

1. Bank of India through its Chairman Bandra Kurla Complex, Mumbai
2. The Regional Manager, Bank of India Near Gandhi Maidan, Patna.
3. The General Manager, Bank of India Uday Bhawan, 3rd Floor, Frazer Road, Patna.
4. The Zonal Manager, Bank of India, Mithanpura, Muzaffarpur

... .. Respondents

Appearance :

For the Petitioner/s	:	None.
For the BoI	:	Mr. Satya Ranjan Sinha, Advocate Ms. Seema Kumari, Advocate Ms. Simran Kumari, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 19-04-2024

The writ petition has been placed under the heading
“For Orders (On Office Notes)” for removal of the defect(s).

2. Despite repeated calls, none appears on behalf of
the petitioners to press this application.

3. Learned counsel for the respondent/Bank is present.

4. We have gone through the averments made in the
writ petition which has been filed by way of a Public Interest
Litigation.

5. The petitioners by filing the instant writ petition



opposed the shifting of the Bank of India Branch, Kiratpur Rajaram, Vaishali to Bhagwanpur, Vaishali Branch, as the shifting of the Bank would cause great hardship to the local people. The petitioners also averred that the Indian Bank established its Branch in the campus of Vishun Roy, College, Kiratpur, Vaishali, way back in the year 2012, after getting approval from its Headquarter and there are large number of Colleges, Secondary Schools, Higher Secondary Schools and other institutions, which are getting benefit(s) of having Branch of the Bank in the vicinity, thus shifting of the Branch will cause great hardship.

6. After having gone through the averments, this Court finds that the present writ petition is nothing but a sheer misuse of Public Interest Litigation.

7. Public Interest Litigation are entertained only when larger public interest is involved and the matter is so grave and urgent that it must take precedence over other matters or there is, in fact, a genuine public interest involved. However, there is no element of public interest involved in the present writ petition.

8. Shifting of the Branch of a Bank is policy decision of the institution and the Court in exercise of the power under



Article 226 of the Constitution of India, should refrain itself from entertaining such petitions. There are very many factors controlling such decisions like the customer foot-falls, pruning of staff strength, financial viability of having multiple branches juxtaposed with the number of transactions etc. These are best left to the management of the Branch and no customer can demand one way or the other. We also have to notice that the physical foot-falls in Bank Branches have decreased considerably by reason of the prevalence of on-line transactions.

9. In view thereof, we find no merit in the present writ petition. Accordingly, it is dismissed with caution to the petitioners not to burden the Constitutional Court with worthless petitions resulting in abuse of the process of the Court.

(K. Vinod Chandran, CJ)

(Harish Kumar, J)

rohit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22-04-2024
Transmission Date	

