

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19210 of 2024

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Birendra Kumar Mehta, son of Umesh Chandra Mehta, resident of Stadium Road, Jay Mata Di Bhawan, PS- Madhubani, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Bank of India through the Chairman, the State Bank of India, State Bank Bhawan, Madam Cama Road, Mumbai-400021.
2. The Chairman, the State Bank of India, State Bank Bhawan, Madam Cama Road, Mumbai- 400021.
3. The Managing Directors, the State Bank of India, State Bank Bhawan, Madam Cama Road, Mumbai- 400021.
4. The General Manager, State Bank of India, Local Head Office, West of Gandhi Maidan, Patna- 800001.
5. The Assistant General Manager (Customer Service), State Bank of India, Local Head Office, West of Gandhi Maidan, Patna- 800001.
6. The Regional Manager, State Bank of India, Regional Business Office, In front of Suri School, At and PO- Madhubani, District- Madhubani.
7. The Chief Manager, State Bank of India, Madhubani Branch, At and PO- Madhubani, District- Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Adv.
For the Respondent/s : Mr.Rakesh Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

3 16-09-2025 Heard learned counsel for the parties.

2. The present writ petition has been filed for the
following relief(s):-

“To issue a writ of mandamus or any



other appropriate writ/ order/ direction directing the Respondent to refund Rs.1,99,243/-, the excess interest charged from the petitioner's housing loan account at commercial rate."

3. Learned counsel appearing on behalf of the petitioner submits that the petitioner was an employee of the State Bank of India and he has retired from his service on 31.03.2018. That the petitioner had availed three home loans. That the respondents-Bank have not implemented the circular dated 27.04.2001 (Annexure 1) passed by the Executive Committee of the Central Board whereby some of the provisions of the Bank relating to interest were revised. That the authority instead of calculating the interest at the revised rate of 6% per annum have charged the excess interest to the petitioner and therefore the petitioner has made several representations to the authorities for refunding the same. Learned counsel submits that though the authorities have passed the orders on 06.03.2024 (Annexure P/15) and 14.05.2024 (Annexure P/19) on the applications made by the petitioner, they are cryptic in nature and passed without taking into consideration the revised circulars issued by the Executive Committee of the Central Board. Learned counsel therefore prays that the respondents-



Bank may be directed to pass suitable speaking orders on the representations made by the petitioner duly taking into consideration the circular issued by the Bank. Learned counsel therefore prayed this Hon'ble Court to allow the present writ petition.

4. Per contra, learned counsel appearing on behalf of the respondents-Bank has stated that the petitioner may be directed to give a fresh representation to the Respondent No. 7, i.e., the Chief Manager, State Bank of India and the same shall be considered strictly in accordance with law.

5. Having regard to the above made submission, the present writ petition is disposed of directing the petitioner to give a suitable representation to the Respondent No. 7 ventilating his grievance within a period of 4 weeks from today. On such representation being given, the same shall be considered duly taking into account the various circulars issued by the respondents-Bank from time to time and also giving an opportunity of hearing to the petitioner. The authority while passing the necessary orders shall not take into consideration the rejection orders dated 06.03.2024 (Annexure P/15) and 14.05.2024 (Annexure P/19) and pass orders afresh. The entire exercise shall be completed as expeditiously as possible preferably within a period of 8 weeks from the date of receipt of the



representation made by the petitioner. Any order passed shall be communicated to the party.

6. With the above directions, the present writ petition stands disposed of.

(A. Abhishek Reddy , J)

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