
(2013) 04 JH CK 0027
In the Jharkhand High Court
Case No : W. P. (C) No. 5909 of 2012

Harilal Sharma and Another	Vs	APPELLANT
State of Jharkhand and Others		RESPONDENT

Date of Decision : 10-04-2013

Acts Referred:

Citation : (2013) 2 AJR 619

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Bishambhar Shastri, for the Appellant; Rakesh Kumar Shahi, J.C. to GA., for the Respondent

Final Decision : Dismissed

Judgement

Aparesh Kumar Singh, J.—Heard learned counsel for the parties. The prayer of the petitioner in the present writ application is to direct the respondents to allow the loan regarding Pradhan Mantri Rojgaar Srgan Karykram in respect of which certain correspondences have taken place before Managing Director, District Industry Center, Hazaribagh and the Branch Manager, Bank of India, Bhurkunda.

2. It is the contention of the petitioners that the issue relating to grant of loan in favour of the. petitioners by the Respondents-Bank is being avoided on flimsy ground of the jurisdiction of the concerned Bank, which has however been clarified by Annexure 2 letter dated 28th February, 2012.

3. Learned counsel for the Respondents-State submits that grant of loan etc. is within the discretion of the financial institution/bank in respect of which several formalities as stipulated under the law and the guidelines are required to be fulfilled as also considerations of security required for such grant of loan to a person concerned are to be taken into account. I have heard learned counsel for the parties. A direction for grant of loans in a writ jurisdiction by the petitioners upon Respondents-Bank is something, which this Court finds difficult to appreciate since the grant of loans for any particular project is within the

discretion of financial institution/bank dependent upon number of considerations and fulfillment of formalities. In such circumstances, this Court will not exercise its discretion either way to direct a particular bank to grant loan to such interested person as it is within the domain of the financial institution and no infringement of any legal right can be said to be made out by the present petitioners in the instant case. I, therefore, do not find any merit in the writ application, which is accordingly, dismissed.