

(2022) 02 PAT CK 0011

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 19748 Of 2021

Pradeep Kumar

APPELLANT

Vs

Bihar State Financial Corporation ??

RESPONDENT

Date of Decision : 02-02-2022

Acts Referred:

Citation : (2022) 02 PAT CK 0011

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Puneet Siddhartha, Aryan Sinha, Nikhil Kumar Agrawal

Final Decision : Disposed Of

Judgement

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

Learned counsel for the petitioner states that save and except for a sum of ☐ 16000/-, the entire amount stood deposited/repaid by the petitioner way

back in the year 1995 itself. It is only for the first time that in the year 2011 the respondent raised an issue of non-payment of an amount which was

less than ☐ 16000/-.

Learned counsel for the petitioner states that petitioner has been approaching the respondents for issuance of No Dues Certificate and is also ready

and willing to settle the matter with the respondent by paying the amount as was due in the year 1995.

Shri Nikhil Agrawal, learned counsel for the respondent states that if the petitioner approaches Respondent

No. 4, namely the Branch Manager Bihar State Financial Corporation, Shahabad Branch, 1st Floor, G.C. House, Maharaja Hata, Ara, Bihar- 802301

within a period of two weeks from today, the said respondent shall consider the application accounting for all the factors as averred in the present

petition and a decision, which is just, fair and reasonable, shall be taken expeditiously and preferably within a period of four weeks thereafter.

Let the petitioner approach Respondent No. 4, namely the Branch Manager Bihar State Financial Corporation, Shahabad Branch, 1st Floor, G.C.

House, Maharaja Hata, Ara, Bihar- 802301 on 16th of February, 2022 by giving a concrete proposal for settlement of the matter. The said respondent

shall take appropriate action in accordance with law expeditiously and preferably within a period of four weeks thereafter.

Needless to add, the respondent shall consider the petitioner's request for waiver of the interest, more so in terms of the guidelines issued by the

R.B.I. and on the basis of parity as also the fact that allegedly the petitioner was not communicated of any outstanding amount from the year 1995

onwards.

Till such time the decision is taken, no coercive steps be taken against the petitioner.

Liberty reserved to the parties to take appropriate action accordance with law, should the need so arise, including filing a fresh petition before this

Court.

We clarify that we have not expressed any opinion on the merits of the matter and all issues are left open.

The instant petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.