

Court No. - 6

Case :- WRIT - C No. - 28322 of 2023

Petitioner :- Sugriv

Respondent :- U.P. Cooperative Village Development Bank Ltd.
And Another

Counsel for Petitioner :- Dinesh Kumar Pandey

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Dinesh Kumar Pandey, learned counsel for the petitioner and learned Standing Counsel for the respondents-State.

This writ petition has been filed with a prayer to quash the notice dated 04.08.2023 issued by the respondent no.1 and a further prayer to direct the respondent no.1 and 2 to give benefit of "ऋण माफी योजना" to the petitioner and not taken any coercive action against the petitioner.

Brief facts of the petitioner that the petitioner had taken a loan of Rs.23,000/- from the respondent no.1 for agricultural purpose on 15.01.2010. As per the scheme "ऋण माफी योजना-2012" launched by the U.P. Government, the poor farmers, who had taken loan of less than Rs.50,000/- were given benefit and their loan were waived, thus the petitioner was under impression that his loan was waived, hence he was sitting a relax manner. Surprisingly, after 11 years, a notice dated 11.08.2021 was issued to the petitioner for requiring him to pay outstanding dues to the tune of Rs.1,00,608/-. Thereafter, another notice was issued on 04.08.2023 for recovering an amount of Rs.1,21,626/- alongwith interest. Therefore, the present petition has been filed.

Learned counsel for the petitioner submits that an application regarding his grievance was given before the respondent-Bank in all stages, but nothing has been done. Therefore, a direction may be issued to respondent-Bank to decide the representation of the petitioner within stipulated period in case he moves afresh representation.

Learned Standing Counsel has no objection to the aforesaid submission.

In view of the aforesaid, no useful purpose will be served to keep this writ petition pending and calling for a counter affidavit.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this writ petition is finally **disposed of** with a direction to the petitioner to file afresh representation mentioning all his grievances, before the respondent nos.1&2, within two weeks from today along with a certified copy of this order and, if any such representation is filed, the respondent nos.1&2 shall make all endeavours to consider and decide the same, in accordance with law, by a reasoned and speaking order, preferably within a period of two months from the date of receipt of such representation, if there is no other legal impediment.

It is made clear that this Court has not examined the merits of the case of the petitioner and the authority concerned shall apply its own mind strictly in accordance with law.

Order Date :- 18.10.2023

Jitendra/-