

Court No. - 3

Case :- WRIT - C No. - 29505 of 2023

Petitioner :- Anil Singh

Respondent :- Union Of India And 2 Others

Counsel for Petitioner :- Brajesh Kumar Solanki,Pranjal Kesarwani

Counsel for Respondent :- A.S.G.I.,Akhilesh Kumar Dwivedi

Hon'ble Siddhartha Varma,J.

Hon'ble Shekhar B. Saraf,J.

Learned counsel for the petitioner informs that as of today the due from the petitioner is about Rs.4 lacs and that the petitioner is ready to pay off his loan in easy installments. Learned counsel for the petitioner has further stated that earlier auction slated for 29.6.2023 did not take place on account of there being no bidder. It is also informed that no further date for auction is fixed for future.

This fact is not denied by learned counsel for the respondent-Bank Sri Akhilesh Kumar Dwivedi. He, however, states that the Bank would be providing exact amount which is due from the petitioner within a period of one week.

Having regard to the fact that the petitioner has offered to pay the entire amount due against him and the Bank has agreed to accept the amount, in our view, ends of justice require that the petitioner be granted an opportunity to deposit the entire outstanding amount due against him in the following manner:-

(i) Petitioner shall deposit 25% of the amount sought to be recovered within a period of one month from today with the respondent Bank.

(ii) In case the amount, as indicated above, is deposited by the

period prescribed, the respondent Bank shall provide a fresh schedule for re-payment of balance amount, after adjusting the amount already deposited. That amount shall thereafter be deposited in three equal instalments in a period of three months. Statement of account shall also be furnished to the petitioner.

(iii) No recovery charges shall be recovered from the petitioner by the respondent authorities.

(iv) Till the period prescribed for depositing the aforesaid amount and thereafter during the period of deposit of instalments, the recovery proceedings will be kept in abeyance. In case the petitioner defaults in depositing the initial amount or thereafter instalments within the stipulated period, it will be open for the respondents to start recovery proceedings against the petitioner.

With the aforesaid observations/directions, the writ petition stands disposed of. No order as to costs.

Order Date :- 22.11.2023
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(Shekhar B. Saraf, J.) (Siddhartha Varma, J.)