

Court No. - 6

Case :- WRIT - C No. - 31276 of 2023

Petitioner :- Raghuveer Saran

Respondent :- Branch Manager ,Prathma Bank

Counsel for Petitioner :- Rakesh Kumar Mishra

Counsel for Respondent :- Yashwant Singh

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Mr. Rakesh Kumar Mishra, learned counsel for the petitioner and Mr. Yashwant Singh, learned counsel for the respondent-Bank.

This writ petition has been filed by the petitioner with a prayer to direct the respondent-Bank to fix ten easy installments of remaining outstanding loan amount and a further prayer to direct respondents not to harass the petitioner.

The brief facts of the case are that the petitioner received a loan of Rs.8,00,000/- under the Kissan Credit Card Scheme on 28.03.2011. The petitioner deposited a sum of Rs.5,00,000/- on 06.02.2015 and Rs.1,67,912/- on 18.05.2019, making a total of Rs.6,67,912/- towards the loan amount of Rs.8,00,000/-. The respondent-Bank issued a notice to the petitioner on 03.03.2023 for payment of Rs.3,73,812.5/- along with interest and other charges. In the said notice the petitioner has been asked to remain present on 07.05.2022 at 10.00 a.m. which shows the fault on the part of the respondent-Bank, hence the petition has been filed.

Learned counsel for the petitioner submits that he has paid an amount of Rs.6,67,912/- and he is ready and willing to pay the rest of the amount in ten easy installments. However, on the other hand, learned counsel for the petitioner is disputing the

outstanding dues as required to be paid by the petitioner.

On the basis of instructions, learned counsel for the respondent-Bank submits that as on date, outstanding dues towards loan is Rs.10,71,059.5/-. On the other hand, he has denied the depositing of any amount stating that the receipts annexed on page 15 and 16 to the writ petition are not on the records of the Bank.

No useful purpose would be served by keeping this petition pending in view of the order, which the Court proposes to pass hereunder.

Considering the facts and circumstance of the case, it is directed that the petitioner shall file a fresh representation before respondent-Bank, within two weeks from today for redressal of the grievance as regards the prayer made by the petitioner for payment of the outstanding amount in easy installments, along with a certified copy of this order. In case, such representation is being moved, the respondent-Bank shall make all endeavours to consider and decide the same, in accordance with law, as expeditiously as possible, from the date of production of certified copy of this order, if there is no legal impediment.

Needless to say that it is open to the authorities concerned to proceed in accordance with law as no positive order has been granted.

With the aforesaid observations, the writ petition is **disposed off**.

Order Date :- 27.10.2023

Kalp Nath Singh