

Court No. - 3

Case :- WRIT - C No. - 32455 of 2023

Petitioner :- Manoj Kumar And 2 Others

Respondent :- State Of U P And 3 Others

Counsel for Petitioner :- Sangam Singh, Abhay Pratap Singh

Counsel for Respondent :- C.S.C., Aditiya Kumar Singh

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

Instructions filed by Sri Aditya Kumar Singh, learned counsel for the Bank in Court today be kept on record.

On 19.10.2023, we passed the following order:

"The petitioners who are guarantors of the loan which was taken by one Phooljhari Devi @ Phool Kumari Devi. On an earlier occasion, Smt. Phool Kumari Devi had filed a Writ - C No. 43149 of 2016 in which a direction was issued for fixing installments but when she could not pay the installments, the guarantors were proceeded with to pay the installments. The guarantors, it has been stated, are ready and willing to pay the installments.

If that is the case, the petitioners may approach the Bank to negotiate as to how the payment has to be made. This exercise may be completed within the next two weeks.

Place this petition as fresh on 1.12.2023. "

Learned counsel for the petitioner states that in pursuance of the aforesaid order the petitioner had written to the Bank authorities, which was replied by the Bank and the same has also been received on 6.11.2023 by means of a communication of the Bank.

Learned counsel for the Banks states that the Bank has requested the petitioner to meet the Bank authorities for negotiating the loan amount.

Under such circumstances, we provide that as and when the petitioner approaches the Bank authorities, they will consider the case of the petitioner sympathetically. However, it shall always be open for the Bank to close the negotiations if the petitioner does not approach the Bank within reasonable time.

With these observations, the writ petition is disposed of.

Order Date :- 1.12.2023

Kuldeep

(Shekhar B. Saraf, J.)

(Siddhartha Varma, J.)