

Court No. - 6

Case :- WRIT - C No. - 33103 of 2023

Petitioner :- Ashok Kumar Singh

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Vijaya Shankar Shukla

Counsel for Respondent :- C.S.C.,Manoj Nigam

Hon'ble Mrs. Manju Rani Chauhan,J.

List revised, none appears on behalf of the petitioner.

Mr. Manoj Nigam, learned counsel for respondent no.3-Bank and learned Standing Counsel for the State-respondent are present.

Record reveals that the petition has been filed by the petitioner with the following prayer :-

"(i) issue a writ, order or direction in the nature of certiorari quashing the recovery notice dated 08.06.2023 and also stay the effect and operation of auction dated 30.9.2023 in pursuance of Debt Account No.M3/39 by which date of auction has been fixed by the respondent no.2 on 30.9.2023 (Annexure No.7 and 8) to this Writ Petition.

....."

As per the order-sheet, on 27.09.2023 following order was passed :-

" Heard Sri Vijaya Shankar Shukla, learned counsel for the petitioner and Mr. Manoj Nigam, learned counsel for the respondent-bank.

Learned counsel for the petitioner submits that the petitioner is ready and willing to deposit the amount of Rs. 1 Lac on 30th September, 2023 and rest of the amount in easy installments.

Learned counsel for the petitioner is directed to deposit the amount of Rs. 1,00,000/- by 30th September, 2023 to show his bonafide.

Put up this case as fresh on 3rd October, 2023, in case such an amount is deposited no coercive action shall be taken against the petitioner."

As per the instructions of learned counsel for the respondent no.3-Bank, the petitioner has not deposited the amount of Rs.1,00,000/- as directed by this Court to show his *bona fide*, therefore, he is not entitled for any relief as prayed.

Accordingly, the present writ petition is **dismissed**.

It is open to the authorities concerned to proceed in accordance with law.

Registrar compliance shall communicate this order to the authorities concerned forthwith for necessary compliance.

Order Date :- 1.12.2023

Kalp Nath Singh