

Court No. - 6

Case :- WRIT - C No. - 33371 of 2023

Petitioner :- Pancham Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Atul Shukla

Counsel for Respondent :- CSC,Vivek Kumar Rai

Hon'ble Mrs. Manju Rani Chauhan,J.

Heard Sri Atul Shukla, learned counsel for the petitioner, Sri Vivek Kumar Rai, learned counsel for the respondent-Bank and learned Standing Counsel for the respondents-State.

The petitioner has preferred this writ petition for quashing of the impugned recovery citation dated 26.05.2023 issued by the respondent no.4 for the recovery of amount in the tune of Rs.3,02,900/- + interest in respect of business of poultry farming loan against the petitioner and a further prayer to direct the respondent-bank to permit the petitioner to deposit the recoverable amount in easy and equal installments in respect of Kisan Credit Card Loan account against the petitioner.

Learned counsel for the petitioner submits that the petitioner took a loan of Rs.2,00,000/- in the year 2015 for carrying out some business, however, due to financial loss, he could not deposit the installments, therefore, a recovery citation of Rs.3,02,900/- has been issued. He further submits that the petitioner is ready and willing to pay the aforesaid amount in easy installments.

Learned counsel for the respondent-Bank submits that as on date, the outstanding dues towards loan amount, which has to be paid by the petitioner is about six lakhs.

On the aforesaid, the learned counsel for the petitioner has disputed the outstanding amount to be paid by the petitioner, however, he is ready to pay Rs.1,00,000/- within one month before the respondent-Bank. He further submits that the petitioner is permitted to move an application ventilating all his grievances before the respondent bank, which shall be decided within stipulated period.

With the consent of learned counsel for the parties, this writ

petition is being finally disposed of at this stage without calling for a counter affidavit.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case of the petitioner, this writ petition is **disposed of** with a direction that the petitioner, after depositing the aforesaid amount of Rs.1,00,000/-, moves an application before the respondent no.4-Bank ventilating all his grievance, within one month from today along with a certified copy of this order and, if any such application is filed, the respondent-Bank shall consider and decide the aforesaid application, in accordance with law, by a reasoned and speaking order, preferably within a period of one month from the date of receipt of the said application after which the petitioners shall deposit the loan in installment as agreed between the parties.

For the period of one month from today or till such application is decided, whichever is earlier, no coercive measure shall be taken against the petitioner.

Needless to say that in case the aforesaid amount of Rs.1,00,000/- is not deposited by the petitioner within one month, it is open to the authorities concerned to proceed in accordance with law.

Order Date :- 21.11.2023

Jitendra/-