

Court No. - 6

Case :- WRIT - C No. - 35800 of 2023

Petitioner :- Lokesh

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

Counsel for Petitioner :- Reena Pal, Adarsh Srivastava

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

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Adarsh Srivastava, learned counsel for the petitioner, Mr. Manoj Nigam, learned counsel for respondent no.4-Bank and learned Standing Counsel for the State-respondents.

This writ petition has been filed by the petitioner with a prayer to quash the recovery citation dated 11.07.2023 passed by respondent no.3 i.e. Tehsildar, Tehsil Ghabhana, District-Aligarh and further direct respondent no.2 to accept the loan amount in easy installments.

Learned counsel for the petitioner submits that the petitioner has taken a loan of Rs.4,80,000/- in the year 2011 for agricultural purpose. He was unable to deposit the installments, therefore, a notice dated 08.07.2019 regarding payment of loan amount of Rs.1,30,000/- was issued by respondent-Bank. In July, 2023 a recovery citation was issued for payment of an amount of Rs.17,15,690/-. Shockingly another notice dated 06.09.2023 for recovering an amount of Rs.19,45,980/- has been issued. He further submits that the petitioner is ready to pay the outstanding loan amount in easy installments but he is not able to understand the calculations as made in view of the aforesaid facts as mentioned regarding the notices for the amounts mentioned therein.

On the basis of instructions, learned counsel for respondent-

Bank submits that as on 30.09.2023 an amount of Rs.20,72,180/- is the outstanding amount to be paid by the petitioner. In case the petitioner is disputing the amount, he is free to move an application/representation before the respondent-Bank and the needful will be done.

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 application/representation before respondent-Bank, ventilating all his grievances, before the respondent-Bank, within two weeks from today along with a certified copy of this order. In case, such an application/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