

Court No. - 6

Case :- WRIT - C No. - 35028 of 2023

Petitioner :- Kailash

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Jaichandra Singh

Counsel for Respondent :- C.S.C., Vivek Kumar Rai

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard learned counsel for the petitioner and Mr. Vivek Kumar Rai, learned counsel for respondent-bank.

The present writ petition has been filed with a prayer to quash the impugned notice dated 14.09.2023 issued by respondent no. 2 and further prayed to direct the respondent-bank to take due loan amount in easy installment without charging interest.

Learned counsel for the petitioner submits that the father of the petitioner has taken a loan of Rs. 1,00,000/- in the year 2015 for the purpose of dairy scheme but due to some personal difficulty he could not maintain the regular payment of installments, therefore, recovery notice has been issued against him.

Learned counsel for the petitioner submits that the petitioner is ready and willing to deposit the entire recovery amount within the time fixed by this Court.

Learned counsel appearing for the Bank states that the petitioner can take a benefit of the OTS scheme as provided under Government Order dated 30.09.2023 where a relaxation of 50% has been given in cases like petitioner's.

In view of the consent of learned counsel for the parties, this writ petition is being finally **disposed off** with a direction that in case the petitioner approaches the Bank within two weeks by means of filing an application claiming benefit of OTS scheme, the respondent no. 2 shall take a decision in accordance with law, preferably within a period of two months, from the date of production of certified copy of this order. Till the final decision is taken in the matter, no coercive action shall be taken against the petitioner.

Order Date :- 30.10.2023

Arti