

Court No. - 3

Case :- WRIT - C No. - 38661 of 2023

Petitioner :- Riyazul Hasan

Respondent :- Union Of India And 7 Others

Counsel for Petitioner :- Mumtaz Ahmad Siddiqui, Gaurav Tiwari

Counsel for Respondent :- A.S.G.I., C.S.C., Ekansh Varma, Pramod Kumar Singh, Vishnu Kumar Srivastava

Hon'ble Siddhartha Varma, J.

Hon'ble Shekhar B. Saraf, J.

1. Heard learned counsel for the petitioner, Sri Pramod Kumar Singh, learned counsel for respondent No.1, learned Standing Counsel for respondent Nos.3 and 4 and Sri Ekansh Verma, learned counsel for respondent Nos.5 to 8.
2. Sri Ekansh Verma, learned counsel for respondent Nos.5 to 7, has handed over a copy of statement of account viz a viz the loan account of the petitioner, which is taken on record.
3. From a perusal of the aforesaid statement of account, it transpired that because of the default in paying the loan amount, as on 27.10.2023 an amount of Rs.3,53,413.89/- was due against the petitioner.
4. Learned counsel for the petitioner prays that the petitioner be permitted to pay the entire dues in easy installments.
5. Learned counsel for respondent Nos.5 to 7 states that if the petitioner pays the entire amount as accrued on 27.10.2023 in six equal monthly installments then the loan account would be regularised and the installments would be rescheduled.
6. Under such circumstances, we provide that if the petitioner deposits 25% of the outstanding amount as accrued on 27.10.2023 within a period of one month from today, the vehicle of the petitioner shall be released.
7. In case the amount, as indicated above, is deposited by the period prescribed, the respondent Bank shall provide a fresh schedule for re-payment of balance amount, after adjusting the amount already deposited. The amount shall thereafter be

deposited in five equal monthly installments.

8. For a period of one month from today, no third party right shall be created viz a viz Vehicle No.UP21BN9583. In case the petitioner defaults in depositing the initial amount or thereafter installments within the stipulated period, it will be open for the respondents to start recovery proceedings against the petitioner.

9. With the aforesaid observations/directions, the writ petition stands disposed of. No order as to costs.

Order Date :- 13.12.2023

Kuldeep

(Shekhar B. Saraf,J.)

(Siddhartha Varma, J.)