

Court No. - 6

Case :- WRIT - C No. - 41941 of 2023

Petitioner :- Rajesh Singh

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

Counsel for Petitioner :- Rahul Chaudhary,Ranjeet Verma

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

Hon'ble Mrs. Manju Rani Chauhan,J.

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

This writ petition has been filed with a prayer to direct the respondent no. 3 to provide the No objection Certificate in favour of petitioner, while the loan amount has already been paid in favour of respondent no. 3 and further prayed to decide and consider the representation of the petitioner dated 25.10.2023 with regard to provide no objection certificate in favour of the petitioner.

It has been stated by the learned counsel for the petitioner that the uncle of the petitioner took a loan from respondent-Bank who had deposited the entire amount. He died on 03.03.2021 and could not obtain the no dues certificate, therefore, an application has been moved before respondent-Bank to issue no objection but the same has not been decided till date, therefore, a direction may be issued to decide the same within stipulated period.

The learned Standing Counsel has no objection to the submission made by the counsel for the petitioner.

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 circumstances of the case, without expressing any opinion on the merits of the case, this writ petition is finally disposed of with a direction to the petitioner to make a fresh representation within two weeks from today along with a certified copy of this order and, if any such representation/application is made, the respondent-Bank shall

make all endeavors to consider and decide the aforesaid application in accordance with law, expeditiously preferably within a period of two months from the date of production of a certified copy of this order, if there is no other legal impediment.

It is made clear that this Court has not examined the merits of the claim of the petitioner and the authority concerned shall apply its own mind strictly in accordance with law.

Order Date :- 5.12.2023

Arti