

Court No. - 3

Case :- WRIT - C No. - 9961 of 2023

Petitioner :- Gufran Ahmad Prop. Raza Steel

Respondent :- State Of U.P. Thru. Collector/ Distt. Magistrate, Sultanpur And Others

Counsel for Petitioner :- Abhishek Singh, Sanjana Chaturvedi

Counsel for Respondent :- C.S.C., Nitin Srivastava

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. By present writ petition, the petitioner has challenged the recovery certificate (annexure no.1), by which an amount of Rs.10,68,323/- is sought to be recovered from the petitioner.

2. Learned counsel for petitioner submits that the petitioner is ready and willing to deposit the entire loan amount with the respondent Bank in easy installments.

3. Learned Standing Counsel and Shri Nitin Srivastava, learned counsel for respondent-bank have no objection in case the petitioner deposit the loan amount in installments.

4. In view of aforesaid, with the consent of parties counsel, the following order is passed:-

5. The petitioner is permitted to deposit an amount of Rs.3,00,000/- with the respondent Bank within a period of two months from today and rest amount in four equal installments within a year. The interest shall be paid with the last installments. It is made clear that no other charges shall be recovered from the petitioner in view of law settled by this Court in *Writ Petition No.13628 (M/S) of 2017, Krishna Bahadur Singh and another Vs. Collector, Bahraich and others.*

6. The amount, which is already deposited by the petitioner, shall be taken into consideration while fixing the installments. Subject to the said payments, the recovery certificate (annexure no.1) shall remain stayed.

7. In case of failure in payment of first installment within two months or two consecutive failures of installments, it shall be open for the respondent authorities to initiate recovery proceedings against the petitioner in accordance with law.

8. With the aforesaid, the writ petition is ***disposed of***.

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[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 20.11.2023

-Amit K-