

Court No. - 3

Case :- WRIT - C No. - 5223 of 2023

Petitioner :- Akhilesh Kumar

Respondent :- State Of U.P. Thru. Secy. Revenue Deptt. Lko.
And 3 Others

Counsel for Petitioner :- Ravi Kumar Verma, Shivendra Pratap Singh

Counsel for Respondent :- C.S.C., Sanjeev Kumar Singh

Hon'ble Subhash Chandra Sharma, J.

1. Heard learned counsel for the petitioner, learned A.C.S.C. for the State alongwith Sri Sanjeev Kumar Singh, learned counsel for the opposite party no.4.
2. The instant petition has been filed with a prayer to issue a writ, order or direction in the nature of certiorari for quashing the impugned show cause notice dated 11.05.2023 received in R.C. Form-36 from the office of the opposite party no.3 for depositing one time outstanding amount of Rs.1,48,733/- (Rupees one lakh forty eight thousand seven hundred thirty three only).
3. It is contended by learned counsel for the petitioner that the petitioner took a loan of Rs.70,000/- from Uttar Pradesh Sahkari Gram Vikas Bank Limited, Mahmudabad, Sitapur but could not repay the same on account of illness of his daughter, as such, the amount with interest became Rs.1,48,733/- as per recovery certificate issued by the bank which was received by the petitioner on 11.05.2023.
4. It is further contended by learned counsel for the petitioner that he is ready to repay the loan amount to the bank concerned but some time be given to him and installments be made for facilitating the repayment of amount because he is an agriculturist.
5. Learned A.C.S.C. for the State alongwith learned counsel for the opposite party no.4 contended that till 30.06.2023, the amount have become Rs.1,66,775/-.
6. In the circumstances of the case, it is expedient to direct that the petitioner will deposit a sum of Rs.30,000/- within a period of one month from today and thereafter remaining amount will be deposited by him in four equal installments in the interval of

three months between each installment.

7. If the petitioner makes regular deposits as aforesaid, the operation of recovery certificate shall remain in abeyance. However, if the petitioner defaults in making repayment, in such a situation, the interim protection granted in this order, will come to an end.

8. Accordingly, the writ petition stands **disposed of** finally.

Order Date :- 26.6.2023

Saurabh