

Court No. - 8

Case :- WRIT - C No. - 8998 of 2023

Petitioner :- Vrij Lal @ Brij Lal

Respondent :- U.P. Sahkari Gram Vikas Bank Ltd. Head Office,Lko. And 2 Others

Counsel for Petitioner :- Kalika Prasad Pandey

Counsel for Respondent :- Sanjeev Kumar Singh

Hon'ble Pankaj Bhatia,J.

1. Present petition has been filed by the petitioner challenging the auction notice contained in Annexure - 1 being Auction Notice Dated 16.05.2023.

2. Shri Sanjeev Kumar Singh, learned counsel for the respondent/Bank, on instructions, states that the auction could not be given effect to, as such, to that extent, the petition loses its efficacy. However, he states that on 30.09.2023 as per the bank records, an amount of Rs.1,61,374/- is due and payable by the petitioner.

3. Learned counsel for the petitioner, on instructions, states that if any reasonable time is granted, the petitioner is ready and willing to pay the entire amount.

4. Considering the said submission, the present petition is ***disposed off*** holding that the respondent/bank shall not take any coercive measure against the petitioner subject to the petitioner depositing the amount due in four equal installments within one year. Meaning thereby, the first installment of Rs.40,000/- shall be paid by the petitioner on or before 31.12.2023, second installment of Rs.40,000/- shall be paid on or before 31.03.2024, third installment of Rs.40,000/- shall be paid on or before 30.09.2024 and the fourth installment of remaining amount alongwith interest shall be paid by the petitioner on or before 31.12.2024.

5. In the event the petitioner pays the installments as directed above, no coercive measure shall be adopted against the petitioner, however, in case the petitioner defaults, the bank would be at liberty to recover the amount in accordance with law.

6. It is further directed that in case the petitioner pays the amount as directed above, no recovery charges shall be levied against him.

Order Date :- 16.10.2023

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