

Court No. - 6

Case :- WRIT - C No. - 9782 of 2023

Petitioner :- Ibrar Ahmad @ Abrar Ahmad

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

Counsel for Petitioner :- Nasreen Bano, Shyam Kinkar Pandey

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

Hon'ble Rajnish Kumar, J.

Heard Shri Shyam Kinkar Pandey, learned counsel for the petitioner and Shri Sanjeev Kumar Singh, learned counsel for respondent no.3/Bank. Learned Standing Counsel is present for the respondent nos.1, 2 and 4.

Submission of learned counsel for the petitioner is that the petitioner had taken loan for poultry/ choози farm of Rs.74,988/- in the year 2010 but due to financial condition he could not deposit the same except Rs.15,000/-, therefore the recovery has been issued against the petitioner. The petitioner is ready to deposit the amount, but in easy installments fixed by this court because he is not in a position to deposit the whole amount.

Learned counsel for the respondent no.3/bank, on the basis of instructions submits that at present the total dues are Rs.2,87,417 up to 30.09.2023 and the petitioner has deposited only Rs.5000/- and in case the petitioner deposits the amount alongwith interest in the installments fixed by this court, he has no objection.

Considering the submissions of learned counsel for the parties and looking into the facts and circumstances of the case, this petition is **disposed of** providing herein that the petitioner shall deposit Rs.50,000/- within a period of six weeks from today and the remaining amount alongwith interest till the date of payment in five quarterly installments.

It is further provided that since there is a dispute in regard to deposit made by the petitioner between the parties, the petitioner shall furnish the receipts in regard to the deposits as claimed by the petitioner with the respondent bank within two weeks, who shall consider the same and after deposit of first installment shall furnish the statement of account accordingly. In case the petitioner follows the aforesaid time schedule, no

coercive action shall be taken against the petitioner.

It is made clear that in case of any default by the petitioner, he shall not be entitled for the benefit of this order.

(Rajnish Kumar, J.)

Order Date :- 17.11.2023

Haseen U.