

Court No. - 3

Case :- WRIT - C No. - 10080 of 2023

Petitioner :- Kanchan Agrahari

Respondent :- District Magistrate Sultanpur And 2 Others

Counsel for Petitioner :- Rajesh Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Om Prakash Shukla,J.

Sri Shyam Kumar Ray, Advocate has filed vakalatnama on behalf of respondent no.3 today and the same is taken on record.

By present writ petition, petitioner has challenged the order dated 31.07.2023 passed by the Additional Collector (F&R) Sultanpur in Case No.1652/2023 (M/S) Aadhar Housing Finance Ltd. Vs. Anil Kumar whereby direction has been made to take possession of property bearing Gata No.365 which was mortgaged in the bank.

Learned counsel for respondent no.3 states that as on date an amount of Rs.10,36,551/- is due to be paid by petitioner against her loan.

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

Learned counsel for respondents have no objection in case the petitioner deposit the loan amount in installments.

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

The petitioner is permitted to deposit an amount of Rs.2,50,000/- with the respondent no.3 within six weeks from today and rest amount in four equal installments within a year.

The interest shall be paid with the last installments.

The amount, which is already deposited by the petitioner, shall be taken into consideration while fixing the installments. Subject to the said payments, the order dated 31.07.2023 shall remain stayed.

In case of failure in payment of first installments 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.

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

Order Date :- 17.11.2023

Arti/-

[Om Prakash Shukla,J.]

[Vivek Chaudhary,J.]