

**Court No. - 3**

**Case :-** WRIT - C No. - 10256 of 2023

**Petitioner :-** Vipin Trivedi @ Vipin Kumar Trivedi

**Respondent :-** State Of U.P. Thru. District Magistrate Lko And 2 Others

**Counsel for Petitioner :-** Arunendra Nath Mishra

**Counsel for Respondent :-** C.S.C., Prashant Kumar Srivastava

**Hon'ble Vivek Chaudhary, J.**

**Hon'ble Manish Kumar, J.**

Heard learned counsel for the petitioner, learned Standing Counsel for the State as well as learned counsel for the Bank Sri Prashant Kumar Srivastava.

By the present writ petition, the petitioner has challenged the possession notice dated 06.09.2023 and the recovery proceedings initiated against the petitioner.

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

Learned counsel for the respondents/Bank has no objection in case the petitioner deposits 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.4,00,000/- with the respondents-Bank within a period of one month from today and the remaining amount shall be paid by the petitioner in equal installments at the interval of three months. The interest shall be paid with the last installment. 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 (MS) of 2017: Krishna Bahadur Singh and another vs. Collector, Bahraich and others*.

The amount, which is already deposited by the petitioner, shall be taken into consideration while fixing the installments. Subject to the said payments, the possession notice dated 06.09.2023, shall remain stayed.

In case of two consecutive failures of installments, it shall be

open for the respondents/Bank authorities to initiate recovery proceedings against the petitioner in accordance with law.

With the aforesaid, the writ petition is disposed of.

**(Manish Kumar, J.) (Vivek Chaudhary, J.)**

**Order Date :- 23.11.2023**

Arjun/-