

Court No. - 3

Case :- WRIT - C No. - 11015 of 2023

Petitioner :- Naresh Pal Singh And Another

Respondent :- State Of U.P. Thru. Collector District Hardoi And 2 Others

Counsel for Petitioner :- Awanish Kumar Bhatt

Counsel for Respondent :- C.S.C.,Brijendra Singh

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for petitioners, Sri Brijendra Singh, learned counsel for respondent Bank and learned Standing Counsel for State.

Learned counsel for respondent Bank submits that an amount of Rs.11,95,802/-+interest is due to be paid by petitioner no.1 and an amount of Rs.5,55,058/-+interest is due to be paid by petitioner no.2 against their loan amount.

Learned counsel for petitioners submits that petitioners are ready and willing to deposit the entire loan amount with the respondents bank in easy installments.

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

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

The petitioner no.1 and petitioner no.2 both are permitted to deposit an amount of Rs.25,000/- each with the respondent Bank within a period of one month from today and rest amount in six half yearly installments within three years. The interest shall be paid with the last installments. It is made clear that no other charges shall be recovered from the petitioners in view of law settled by this Court in ***Writ Petition No.13628 (M/S) of 2017, Krishna Bahadur Singh and another Vs. Collector, Bahraich and others.***

The amount, which is already deposited by the petitioners, shall be taken into consideration while fixing the installments. Subject to the said payments, recovery notice dated 18.11.2023 issued with regard to petitioner no.1 and 2 shall remain stayed.

In case of failure to deposit first installment within one month or two consecutive failures of installments, it shall be open for the respondent authorities to initiate recovery proceedings against the petitioners in accordance with law.

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

Order Date :- 20.12.2023

Arti/-

[Manish Kumar,J.]

[Vivek Chaudhary,J.]