IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8990 of 2015

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Ram Binay Kumar son of Ram Sidh Sharma, resident of Village - Dariapur, P.S. - Bihta, District - Patna.

.... Petitioner

Versus

1. The State Bank of India, through Assistant General Manager, Main Branch, Patna - 1.
2. The Branch Manager, The State Bank of India, Bihta, South Bihar, Sugar Mills, Premises, Bihta, District - Patna, Bihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sahvind Kumar Sharma, Advocate

For S.B.I. (Respondent) : Mr. Anjani Kumar Mishra, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 03-07-2015

Learned counsel appearing for the State Bank of India serves copies of the statements upon the petitioner and also files the copy of the statement. Let it be kept in record.

It appears that till 01.07.2015 the due amount along with interest comes to Rs.18,89,344/-.

Learned counsel for the petitioner undertakes that the petitioner will deposit 25% of the aforesaid amount by 31st July, 2015 and thereafter, he would be paying entire amounts along with interest in accordance with law upon the balance amount within a period of one year if equal monthly installment is fixed by the Bank.

In above view of the matter, this writ application is being disposed of with a direction to the petitioner to deposit 25% of the aforesaid amount by 31st July, 2015 and thereafter, the Bank will again re-calculate the balance amount along with future interest upon the balance amount and fix monthly instalment to be paid within 12 months which has to be paid regularly by the petitioner. The Bank will give a direction to its agent not proceed for recovery of the amount or seizure of vehicle if 25% of the amount mentioned above is paid by 31st July, 2015. However, it is made clear that the petitioner would be required to appear on 3rd August, 2015 before the concerned Bank Authority who will supply the statement, after deduction of the amount already paid, i.e., the balance amount to be paid within one year fixing equal installment along with interest in accordance with law. The petitioner would be required to pay the instalment on fixed date failing even on one occasion the Bank would be at liberty to resort to recovery procedure once again.

(Dr. Ravi Ranjan, J)

N.H./-

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