

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16892 of 2016

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Bhagwan Das, son of late Bhikhari Das (Proprietor Manish Medical Agency), R/O Village- Maniyappa Kothiar Tola, P.O. + P.S. Matihani, District- Begusaii, at present Thatheri Gali, Main Road, Near Heera Lal Chowk, P.S. Nagar Begusarai, District- Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. Regional Manager, Bihar Gramin Bank Begusarai, District- Begusarai
3. The Branch Manager, Bihar Gramin Bank Branch Begusarai, District- Begusarai
4. Authorized Officer, Bihar Gramin Bank Branch Begusarai, District- Begusarai

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the State : Mr. Arun Kumar Sinha, Advocate
For the Bank : Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 05-10-2016 Heard learned counsel for the petitioner and learned counsels for the State and for the respondent Bihar Gramin Bank.

The Statement of Account indicating the interest payable from 15th January, 2011 on which date the account of the petitioner had become NPA has been produced before the Court by learned counsel for the Bank from which it appears that the total amount due as on 4th October, 2016 was Rs. 4,55,260.20 on which date the petitioner has undertaken before this Court to show his bona fides and deposited Rs. 50,000/-. After adding the other expenses and charges, the total amount

due as on 4th October, 2016 has been shown as Rs. 4,36,010.20.

Learned counsel for the petitioner has expressed his intention that the petitioner is prepared to clear the entire dues in three instalments.

In the aforesaid facts circumstances, the writ application is disposed of with the direction that the petitioner shall deposit an amount of Rs. 1,50,000/- on or before 31st October, 2016 and a similar amount on or before last day of November, 2016 and the balance amount along with interest on the reducing balance and other expenses and charges shall be deposited by the petitioner by the end of December, 2016.

In the meantime, the proceedings under the SARFAESI Act shall remain in abeyance and shall continue to remain so as long as the petitioner deposits the instalments on the dates as specified in this order.

Failure of the petitioner to deposit any of the instalments would lead to revival of the SARFAESI proceedings.

(Ramesh Kumar Datta, J)

S.Pandey/-

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