

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8549 of 2016

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Usha Devi, W/o Shri Vedanand Yadav, Resident of Mohalla- Gauripur,
P.O.+ P.S.- Singheshwar, District- Madhepura.

.... Petitioner/s

Versus

1. Uttar Bihar Gramin Bank through its General Manager, Kalambagh Chowk, Muzaffarpur.
2. The General Manager, Uttar Bihar Gramin Bank, Kalambagh Chowk, Muzaffarpur.
3. The Branch Manager, Koshi Kshetriya Gramin Bank (After amalgamation a part of Uttar Bihar Gramin Bank), P.O.+ P.S.- Madhepura, District- Madhepura.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Respondent/s : Mr. Prabhakar Jha

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 21-06-2016

Heard Mr. Madhu Prasun, learned counsel appearing for the petitioner and Mr. Prabhakar Jha, learned counsel appearing for the Bank.

The petitioner is aggrieved by the demand notice of the Bank dated 29.5.2014 issued under the signature of Branch Manager, Uttar Bihar Gramin Bank, Madhepura having its head office at Muzaffarpur whereunder the petitioner has been directed to repay the outstanding loan amount of Rs.6,06,090/- stated to be inclusive of interest on the principal loan amount of Rs.3,00,000/-. The demand notice is dated 29.5.2014 and the petitioner has approached this Court more than two years thereafter.



Mr. Prabhakar Jha, learned counsel appearing for the Gramin Bank has submitted that a loan of Rs.3,00,000/- was obtained by the petitioner in 2008 and the petitioner has defaulted in its repayment inviting interest thereon. He submits that the outstanding amount is calculated until 2014 and the figures must have further increased in past two years.

Mr. Madhu Prasun, learned counsel appearing for the petitioner submits that the petitioner is willing to clear the outstanding dues but considering the quantum of the outstanding amount appropriate direction be issued to the Branch Manager to grant liberty to the petitioner to repay the same in reasonable instalments. Mr. Jha, learned counsel appearing for the Bank without expressing opinion to the proposal submits that the petitioner may approach the Branch Manager along with the payment schedule and which shall be considered accordingly.

Having heard counsel for the parties and considering the nature of dispute raised in the backdrop of the fact that the petitioner is ready to repay the outstanding amount albeit in reasonable instalments I deem it fit and proper to dispose of this writ petition with a direction to the Branch Manager, Uttar Bihar Gramin Bank, Madhepura or the authority concerned to

consider the prayer of the petitioner for repayment of outstanding amount within next 12 months in reasonable instalments and dispose of the same accordingly. The petitioner should approach the Bank with her payment schedule without delay and which shall be considered and disposed of within two weeks of its receipt.

Although apprehensions have been expressed by Mr. Madhu Prasun, learned counsel appearing for the petitioner as regarding the coercive step to be taken by the Bank but considering that nothing has been progressed in the last two years, the petitioner has no reason for such apprehension.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

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