

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2980 of 2016**

1. Anuj Ram S/o Birjhu Ram, Aged About 51 Years R/o Village Batrel, Tahsil Patan, Civil And Revenue District Durg, (Chhattisgarh)
2. Mahendra Sahu, S/o Uderam, Aged About 55 Years R/o Village Batrel, Tahsil Patan, Civil And Revenue District Durg, (Chhattisgarh)
3. Purushottam Sahu, S/o Bharat Sahu, Aged About 58 Years R/o Village Umarpoti, Tahsil Patan, Civil And Revenue District Durg, (Chhattisgarh)

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Department Of Co-Operative Mahanadi Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
2. Registrar, Cooperative Societies Department Of Cooperative Indravati Bhawan, Naya Raipur, District Raipur, (Chhattisgarh)
3. Chief Executive Officer, District Central Cooperative Bank, G.E. Road Durg, District Durg, (Chhattisgarh)
4. Branch Manager, District Central Cooperative Bank, Branch Jamgaon (R) Tahsil Patan, District Durg, (Chhattisgarh)

---- Respondents

For Petitioners	:	Shri CK Sahu, Advocate
For Respondents-State	:	Shri Ramakant Mishra, Dy. AG for the State

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****07/12/2016**

1. This petition has been filed by the petitioners aggrieved by demand notice, by which towards recovery of loan a higher rate of interest is sought to be recovered.
2. Learned counsel for the petitioners would submit that in view of the State Government's circular dated 18.11.2010, recovery of interest in excess of 3

percent is not permissible.

3. Learned counsel for the petitioners would submit that although the petitioners have preferred representation before the authority previously but they are willing to move fresh representation.
4. In view of the above statement, the writ petition is disposed of with a direction that in the event, the petitioners prefer fresh representation before the respondents within a period of 15 days from today in respect of charging of interest as per circular dated 18.11.2010, the competent authority shall decide the matter by a speaking order, at the earliest, preferably within a period of 6 weeks from the date of submission of representation.
5. Till the decision is taken by the competent authority, no coercive steps be taken against the petitioners for recovery of the loan amount.

Sd/-

JUDGE
PRASHANT KUMAR MISHRA

Ashu