

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5574 OF 2014

BHIMRAO AANAJI AALEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Sonwane Mahesh R.
AGP for Respondents 1 to 3: Mr. G.O. Wattamwar
Advocate for Respondent No.6 : Mr. Sanket S. Kulkarni h/f Mr. D.B.Rode
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CORAM : V. K. JADHAV, J.
DATED : 12th FEBRUARY, 2016

PER COURT:-

1. Learned counsel for the petitioner submits that the petitioner has paid Rs.2,36,000/- to respondent No.6, including the amount of Rs.50,000/-, which is deposited before this court. Learned counsel for the petitioner submits that in view of poor financial condition of the petitioner, the petitioner at the most would be able to pay an amount of Rs.2,00,000/- towards full and final settlement of loan amount, within eight weeks from today.

2. Learned counsel for respondent No.6, on instructions, submits that respondent No.6 Bank is ready to settle the matter towards full and final settlement of his loan account by accepting additional amount of Rs.2,00,000/- as stated above. Even respondent No.6 has no objection if the said amount is deposited within 8 weeks

subject to furnishing undertaking to this court by the petitioner today itself.

3. In the light of above submissions, the petitioner shall pay an additional amount of Rs.2,00,000/- (Rupees two lacs only) to respondent No.6 towards full and final settlement of the recovery certificate dated 01.02.2010, within eight weeks from the date of this order and respondent No.6, after the receipt of the said amount, shall issue no dues certificate to the petitioner within one week.

4. The petitioner shall furnish undertaking before this court that he would pay amount of Rs.2,00,000/- to respondent No.6 within eight weeks from today.

5. Respondent No.6 is hereby permitted to withdraw amount of Rs.50,000/- deposited in this court alongwith accrued interest, if any.

6. In the light of above, writ petition is disposed of. In the circumstances, there shall be no order as to costs.

(V. K. JADHAV, J.)

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