

In the High Court of Punjab and Haryana at Chandigarh

CWP No.1498 of 2016

Date of decision: January 25, 2016

Amrik Singh

..... Petitioner

Versus

Punjab and Sindh Bank and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Ashish Pannu, Advocate for the petitioner.

SURYA KANT, J.

The petitioner's grievance in this writ petition is against the order dated 13.02.2015 whereby Sub Divisional Officer (Civil) Pehowa has directed respondent No.1-Punjab and Sindh Bank to recover the agriculture loan amount along with interest from the petitioner. The permission has been accorded under Section 8 of the Haryana Agriculture Credit Operation and Miscellaneous Provision (Bank) Act, 1973 (for short 'the Act').

A perusal of the impugned order would reveal that several opportunities were granted to the petitioner through his counsel to file reply but having failed to avail such opportunities and the Authority being fully satisfied that he had not paid even single penny towards the agriculture loan availed in the year 2006, the necessary permission has

been granted.

No fault can be found with the impugned order.

Faced with this, learned counsel for the petitioner seeks intervention of this Court in respect of rate of interest and the total interest component levied on the appellant. In our considered view, such a plea can be sympathetically entertained by the Bank or any other prescribed Authority or Forum provided that the petitioner show his bonafide. So far, he has not paid any substantial amount to discharge the loan liability.

We thus decline to interfere with the impugned order but grant liberty that if the appellant deposits a sum of ₹2 lacs within one month and gives an undertaking to the Bank to discharge the entire liability within three months thereafter, let his request for reduction in the rate of interest be sympathetically considered keeping in view the Legislative Object of 1973 Act which is essentially to safeguard the interest of small scale farmers.

With the liberty aforesaid, the writ petition stands dismissed.

(SURYA KANT)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

January 25, 2016