

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8258 of 2012

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Ramesh Kumar Singh, S/O Sri Jamuna Singh, R/O Village- Mirzapur, P.S.-
Mufassil, District- Gaya

.... Petitioner/s

Versus

1. Chief Manager, State Bank of India, Madam Cama Road, Mumbai
2. Regional Manager, State Bank of India, Regional Branch Office, Gaya
3. Branch Manager, State Bank of India, Manpur Branch, Gaya

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Arun Kumar Sinha, Advocate
For the Respondent-Bank : Mr. Kaushlendra Kumar Sinha, Advocate.
Mr. Sunil Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 16-03-2017 Heard learned counsel for the petitioner and the
learned counsel appearing for the State Bank of India.

The petitioner seeks a direction from this Court to the respondent-authorities directing them not to use pressure tactics by sending recovery Agent or Agents to seize his tractor, bearing No.BR2F4708-4709, and, further, to exempt/release the petitioner from making further payment of interest on the amounts claimed by the respondent-Bank, in pursuance of the notice dated 27.02.2012.

Learned counsel for the petitioner submits that the petitioner is a farmer and had taken an agricultural equipment loan in the year 2004 to the tune of Rs.2,85,000/- (Two lacs



eighty-five thousand) for purchasing the tractor, bearing No. BR2F4708-4709. Learned counsel for the petitioner further submits that despite his efforts, the petitioner could not earn sufficient income and, therefore, due to compelling circumstances, which included the drought situation and also other such situation, which was beyond his control, the loan amount taken by him remained unpaid. He further submits that as and when money was available to him, he had deposited certain amounts, which have been detailed in paragraph 1 of the present application. Learned counsel for the petitioner further submits that he is being forcibly threatened by the respondent-Bank, who is trying to seize his tractor forcibly.

Learned counsel appearing for the Bank submits that the petitioner could have availed of the One Time Settlement (OTS) Scheme, which he has not done so. However, in the interest of the petitioner, the Bank is willing and ready to negotiate with the petitioner for realization of the loan amount and/or interest, which shall be considered appropriately and in accordance with the Bank's policy.

In view of the stand taken by the learned counsel for the Bank, let the petitioner file a representation before the Branch Manager of the State Bank of India, Manpur Branch,



Gaya (respondent No.3), which shall be placed before the Regional Manager of the State Bank of India, Regional Branch Office, Gaya (respondent No.2) for appropriate decision in the matter. It is further directed that the petitioner shall file his representation within a period of four weeks from today giving necessary offers on his part towards realization of whatever amount is due to the petitioner, which shall be duly considered by the respondents and decided expeditiously, preferably within a period of six weeks thereafter.

With the aforementioned observations and directions, the present application stands disposed of.

(Anjana Mishra, J)

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