

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2978 of 2015

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Ravi Tiwary Son of Late Ram Bilas Tiwari 43-South Mandiri , Kathpul , Budha Colony, Patna.-1

.... Petitioner/s

Versus

1. The Union of India , through the Registrar, Debt Recovery Tribunal, Lal Bhawan, Bank Road, Patna-1
2. The Recovery Officer, Debt Recovery Tribunal, Lal Bhawan, Bank Road, Patna-1
3. The Assistant General Manager, The State Bank of India SARB, 2nd, Floor, Patna Main Branch Building, West Gandhi Maidan , Patna-1
4. The Branch Manager, State Bank of India Main Branch Boring Road, Patna-1

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sahvind Kumar Sharma
For the Respondent/s : Mrs. Kanak VERma, CGC
Mr. Ajit Pratap Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 06-02-2017

Heard learned counsel for the parties.

During pendency of this application it appears that the Bank has extended the benefit under the OTS scheme as the petitioner, who is a borrower, has taken loan from the State Bank of India, vide order dated 19.1.2017 a statement was made at the Bar that out of 26 lacs, by and large he had deposited half of the amount and this Court directed the petitioner to give clear-cut break-up with regard to payment of rest of the due amount but, it appears that the Bank has considered the application and extended the benefit under the OTS Scheme which reflects from the letter dated 30.1.2017 addressed to the present petitioner indicating that he will have to deposit due amount of Rs. 8,96,134/- and out of that Rs. 50,000/-



which was paid by him will be adjusted against the outstanding dues as aforesaid and the petitioner would be liable to deposit 25% of the rest amount by 28.2.2017 and, after adjustment, the rest amount he will have to deposit by 31.3.2017. In the letter it has also been mentioned that if the petitioner accepts the terms of the Bank, he will have to return the duplicate copy.

Learned counsel for the petitioner submits that he has also already taken action in terms of the letter and he has submitted that he will deposit the outstanding dues in terms of the letter dated 30.1.2017.

If the petitioner would fail to act in terms of the aforesaid letter, the Bank will be free to take action in accordance with law.

In the meantime, no coercive step will be taken against the petitioner but, in failure, the Bank will have a liberty to take action in its own term.

With the aforesaid observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.02.2017
Transmission Date	

