

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Writ Petition No.3836 of 2006**

M/s Pragati Udyog through Proprietor Shri Sushil Dixit, S/o Shri K.N. Dixit aged about 42 years, R/o Behind Shiwani Medical Sahdev Nagar, Rajnandgaon District Rajnandgaon (CG).

**---- Petitioner**

**Versus**

- 1.Jila Sahakari Kendriya Bank Maryadit, through its Chief Executive Officer, G.E. Road, Rajnandgaon (CG).
2. Branch Manager, Jila Sahakari Kendriya Bank Maryadit, (Extension) Branch New Ganj Mandi, Rajnandgaon (CG).
3. Branch Manager, Jila Sahakari Kendriya Bank Maryadit (Agriculture) Branch G.E. Road Rajnandgaon (CG).
- 4.Collector (Chairman), Jila Sahakari Kendriya Bank Maryadit, Rajnandgaon Tahsil and District Rajnandgaon (CG).
- 5.Tahsildar (Revenue) Rajnandgaon, Tahsil and District Rajnandgaon (CG).
- 6.Recovery Officer (Additional Tahsildar) Co-operative Societies, Rajnandgaon.

**---- Respondents**

For Petitioner :Mr. Ashish Shrivastava, Advocate  
For Respondents No.1,3&4 :Mr. PKC Tiwary, Senior Advocate  
with Mr. Kripesh G.Kela, Advocate

**Hon'ble Shri Justice Sanjay K. Agrawal**  
**Order On Board**

**09/11/2017**

(1) Learned counsel appearing for the petitioner would submit that the petitioner's case ought to have been considered by the respondent/Bank in accordance with Guidelines relating to One Time Settlement (OTS) Scheme for SME Accounts issued by Reserve Bank of India dated 03.09.2005, but the same has not been considered and decided and on the other hand notice of recovery has been issued by the respondent Bank, which has

stayed by this Court on 27.07.2006.

(2) Learned Senior counsel appearing for the respondents No.1,3&4 would submit that the petitioner was asked to submit his application for the settlement, but he declined to file the application and, thereafter, the order of recovery has been passed

(3) I have heard learned counsel appearing for the parties.

(4) Since the petitioner's case has not been considered and decided according to the Guidelines relating to One Time Scheme for SME Accounts issued by Reserve Bank of India dated 03.09.2005. Respondent-Bank is directed to consider and decide the petitioner's case in accordance with One Time Scheme floated by Reserve Bank of India on its own merits, expeditiously preferably within a period of 45 days from the date of receipt of certified copy of this order.

(6) In the meanwhile, interim relief granted by this Court by order dated 27.07.2006 shall remain in operation for the said period.

(7) With the aforesaid observation, the writ petition stands finally disposed of.

Sd/-

**(Sanjay K. Agrawal)**  
Judge

L/-