

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 3346 of 2017**

M/s Niranjani Agencies Through Pro. Niranjani Kumar Ledwani Aged About 56 Years S/o Late Jamiyat Rai Ledwani, Ledwani Sole Proprietor Of M/s Niranjani Agencies Jain Mandir Road, Jagdalpur, District Bastar, Chhattisgarh, R/o House No. D- 234, Katora Talab Raipur, Police Station Civil Line Tahsil & District Raipur, Chhattisgarh.

---- Petitioner**Versus**

1. The State Bank Of India Through The Zonal Manager, S A R B (Stressed Assets Recovery Branch) Bhilai, District Durg, Chhattisgarh.
2. The Assistant General Manager S A R B (Stressed Assets Recovery Branch) Raipur, 1st Floor, Madan Complex, Shankar Nagar, Lodhi Para Road, Raipur, District Raipur, Chhattisgarh
3. State Bank Of India, Through Branch Manager, S B I, S M E (Small And Medium Enterprises) Branch, Jagdalpur, District Bastar, Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. J.N. Nade, Advocate.
For Respondents	:	Mr. P.R. Patankar, Advocate.

Order On Board**12/12/2017**

- (1) The petitioner has filed this writ petition claiming that a writ be issued directing the Respondents-Bank to permit the petitioner to deposit the loan amount as per one time settlement scheme with extension of time.
- (2) Mr. Nande, learned counsel for the petitioner would submit that the respondents-Bank be directed to consider the case of the petitioner as per one time settlement scheme floated by Reserve Bank of India and to permit him to deposit the amount in dispute by extending time.
- (3) Mr. Patankar, learned counsel for the respondents-Bank would submit that the scheme for one time settlement of NPAs and AUCA 2017-18 introduced has already come to an end as last date of receipt of acceptance of

the application along with upfront payment from borrowers was on or before 31st October, 2017. Since the petitioner /borrower did not deposit the upfront amount of 5% and last date for OTS has already come to an end, therefore, writ petition is liable to be dismissed.

(4) I have heard learned counsel appearing for the parties and considered their rival submissions made hereinabove and also gone through the record with utmost circumspection.

(5) As per circular issued by State Bank of India on 14th June, 2017, the last date prescribed for applying under the scheme for OTS of NPA and ACUA 2017-18 was 31.10.2017 and petitioner before the said date neither applied nor deposited the requisite deposit with the respondents-Bank, therefore, no writ / direction can be issued to the respondents-Bank to settle the dispute under OTS scheme after the last date prescribed for settlement under OTS scheme. However, the petitioner is at liberty to make a representation with the Respondents- Bank and the same shall be considered and decided by the Respondents Bank on its own merit in accordance with law.

(6) With the aforesaid observations, the writ petition stands finally disposed off. No cost(s).

Sd/-

(Sanjay K. Agrawal)
Judge

D/-