

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2656 of 2018

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Chaudhary Krishna Kumar Singh, S/o Mr. Choudhary Chandareshwar Narayan Singh, F- 601, Dukhan Ram Plaza, Phase-II Exhibition Road, Patna- 800001 P.S.- Gandhi Maidan.

.... Petitioner

Versus

1. Corporation Bank, Exhibition Road Branch, Besides Big Bazar Patna- 800001, P.S.- Gandhi Maidan.
2. Corporation Bank, through its Managing Director Mangla Devi Temple Road Mangalore, Karnataka, P.S.- Pandeshwara.
3. Branch Head, Corporation Bank, Having its Branch Office at Deep Memorial Public School Block- A, Ramprastha, Ghaziabad.
4. Mr. LaxmanPrabhu M, Branch Head (old) Corporation Bank, Having its Branch office at Deep Memorial Public School Block-A, Ramprastha, Ghaziabad.
5. Mr. Aman Kumar, Loan Officer Corporation Bank, Having its Branch Office at Deep Memorial Public School Block- A, Ramprastha, Ghaziabad.
6. Mr. Sujit Kumar, Branch Head (New) Corporation Bank, Having its Branch Office at Deep Memorial Public School Block- A, Ramprastha, Ghaziabad.
7. Mr. Rajeev Kumar, Chief Manager Zonal Office, Corporation Bank New Delhi.
8. Mata Medicos, through Proprietor Mrs. Nivedita Chaudhary, 1681/2 Bhagirath Palace Chandani Chowk, Delhi- 110006.
9. Mrs. Nivedita Chaudhary, W/o Mr. Ranjan Kumar Chaudhary, A 501, Balaji Apartment Sector- 14, Rohini, Delhi- 110085.

.... Respondents

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Appearance :

For the Petitioner : Mr. Sandeep Shahi,
Mr. Dayanand Singh,
Mr. Nagdeo Choubey, Advocates
For the Respondents : Mr. Satyendra Nr. Singh,
Mr. Vivek Kumar Verma, Advocates

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 08-05-2018

Pursuant to the order dated 20.02.2018, the petitioner has filed a supplementary affidavit, *inter alia*, stating that out of total outstanding dues of Rs. 46,31,183/-, the petitioner has made payments from time to time and at present a sum of Rs. 26,31,183/- remains due. Today, the petitioner has tendered two bank drafts of Rs. 5,00,000/-



each bearing nos. 030355 dated 07.03.2018 and 03609 dated 16.04.2018 both drawn on IDBI Bank to Mr. Vivek Kumar Verma, learned counsel for the respondent-Bank in Court which have been accepted by him. As of now, therefore, an amount of Rs. 16,31,183/- remains outstanding from the petitioner which is proposed to be paid in three instalments.

2. A counter affidavit has also been filed on behalf of the respondent-Bank.

3. Having regard to the above and payments being made by the petitioner from time to time, this Court is of the view that the ends of justice will be met if the petitioner is granted liberty to clear the outstanding dues which are admitted to the tune of Rs. 16,31,183/- as on date by both parties, in three equated monthly instalments, first of which shall be paid by the petitioner by 31st of May, 2018. Such payments should be made through bank drafts and would be received by the Senior Law Manager, Zonal Office, Corporation Bank, Zonal Office, Patna under acknowledgement.

4. If the petitioner makes payment of the three installments as stipulated without delay or default, the respondent-Bank shall not take any step for auction sale of the petitioner's mortgaged property in the meanwhile, and upon the total outstanding amount being liquidated, the Bank shall return the documents of the mortgaged property to the petitioner without undue delay.



5. The writ petition stands disposed of.

(Vikash Jain, J)

B.T/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.05.2018
Transmission Date	N.A.

