IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.3304 of 2017
In
Civil Writ Jurisdiction Case No. 9928 of 2017

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1. Shahid Anwar son of Late Shakil Ahmed resident of near Madar Darwaja, Dharamshala Road, P.O. + P.S. Sasaram, District - Rohtas.

.... Petitioner/s

Versus

1. The General Manager, Bank of Baroda, 4th Floor, Anand Vihar, Boring Canal Road, Patna.
2. The Authorised Officer, Bank of Baroda, 4th Floor, Anand Vihar, Boring Canal Road, Patna.
3. The Branch Manager, Bank of Baroda, Sasaram Branch, New Hansu Market, G.T. Road, Sasaram, Rohtas - 821115.

.... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Nawal Kishor Singh
For the Respondent/s : Mr. R.N. Sinha
Mr. Ratnesh Nandan Singh,
Mr. Purusotam Prasad

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 21-03-2018 This application has been filed for modification of the order dated 17.8.2017 passed in C.W.J.C. No.9928 of 2017 (Shahid Anwar V. The General Manager, Bank of Baroda and others).

The order reflects that petitioner has taken loan of Rs.8 lacs from the Bank for construction of his house but on account of none payment of loan the account was declared NPA which resulted initiation of SARFAESI proceeding against the petitioner. The petitioner moved before the Tribunal vide S.A. No. 176 of 2015 and in National Lok Adalat on 21.2.2016, both parties were called for and petitioner was ready to settle the account by making

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payment of Rs.8 lacs but he defaulted to make payment which led to action of taking possession of the house of the petitioner.

In the writ order liberty was given to settle the account as per the installments fixed in the order dated 17.8.2017.

Admittedly the petitioner has not paid any single penny and has taken a plea that his land has been acquired and on receipt of the compensation amount he would make payment. The said plea is not acceptable and the same is rejected. Further made a prayer for grant of four weeks time and in the meantime he will pay the amount of outstanding dues.

The period is further extended by four weeks. If the petitioner fails to deposit the money within the aforesaid period, the Bank would be at liberty to take action in accordance with law. No further time will be granted to the petitioner.

With the aforesaid observation this application is disposed of.

Vinay/-

(Shivaji Pandey, J)

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