

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 345 of 2018

Dhananjay Pipariya S/o Late Parasram Pipariya, Aged About 29 Years, R/o Village Kodewa, Tahsil Gunderdehi, Civil And Revenue District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Department Of Co-Operation Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Registrar, Co-Operative Societies Department Of Co-Operative Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Chief Executive Officer, District Central Co-Operative Officer, District Central Co-Operative Bank, G.E. Road Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh
4. Branch Manager, District Central Co-Operative Bank, Arjunda, District Balod Chhattisgarh, District : Balod, Chhattisgarh
5. Society Manager, Sewa Sahkari Samity Maryadit, Kodewa, Tahsil Gunderdehi, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. C. K. Sahu, Advocate.
For Respondents/State	:	Mr. B. Gopa Kumar, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/02/18

Heard.

1. This petition has been filed by the petitioner aggrieved by demand notices dated 16.10.2015 and 30.09.2016 (Annexure – P/5) by which towards recovery of loan, a higher rate of interest is sought to be recovered.
2. Learned counsel for the petitioner submits that in view of the State

Government circular dated 18.11.2010, recovery of interest in excess of 3 per cent is not admissible.

3. The petitioner has submitted a representation to the authority on 17.11.2017. As there exists a circular of the State Government stating the manner and the extent to which the interest can be imposed, the Co-operative Bank is obliged to consider the same and take a decision in the matter before proceeding to recover the loan along with interest from the petitioner. Let the decision be taken by the Co-operative Bank / respondent No. 4 within four weeks.

4. The petition is accordingly disposed of at this stage.

Sd/-
(Sanjay K. Agrawal)
Judge