

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Civil Writ Petition No.2164 of 2018.

Date of Decision: February 01, 2018

Suresh Pal

.....Petitioner

versus

State of Haryana and others `

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SHEKHER DHAWAN.

Present: Mr.Parveen Chauhan, Advocate, for the petitioner.

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Surya Kant, J. (Oral)

The petitioner availed loan facilities of Rs.7.00 lacs from the respondent-Bank on 20.01.2012 but having failed to repay the installments, the bank filed a petition against him before the Prescribed Authority under Section 8(1) of the Haryana Agricultural Credit Operation and Miscellaneous Provisions (Bank) Act, 1973. The petitioner apparently did not contest the claim petition, hence an *ex-parte* order was passed against him on 24.12.2013 accepting the bank's application. Since then the bank has been struggling hard to recover the loan amount of Rs.7,38,726/- for which the Prescribed Authority has now put the land of the petitioner on auction. At this juncture, the petitioner challenges the order dated 24.12.2013, claiming that he was not served.

We are not impressed by the contention raised on behalf of the petitioner. However, having regard to the fact that the petitioner's agricultural land is the only source of livelihood, we grant liberty to him to deposit Rs.2.00 lacs within one week before the Prescribed Authority alongwith a time schedule of not more than 8 months to deposit the entire

loan amount alongwith interest. In case the petitioner submits such proposal alongwith upfront payment of Rs.2.00 lacs within one week, the sale of his agricultural land by way of auction shall not be confirmed.

The writ petition stands disposed of accordingly.

(SURYA KANT)
JUDGE

February 01, 2018
mohinder

(SHEKHER DHAWAN)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No