

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-2244-2018

Date of decision: 14.11.2018

Atar Singh

.... Petitioner

Versus

Sarva Haryana Gramin Bank & ors.

.... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: Mr. Tanuj Kumar, Advocate
for the petitioner.

Mr. Pavan Malik, Advocate
for respondent No.1.

Ajay Kumar Mittal, J.(Oral)

This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari for setting aside the impugned order dated 07.09.2016 (Annexure P-4) passed by Sub Divisional Officer (Civil) Pataudi vide which petition filed by respondent u/s 8(i) of Haryana Agricultural Credit Operation and Miscellaneous Provision (Banks) Act, 1973 was dismissed.

2. Vide order dated 30.07.2018 on the statement of learned counsel for the petitioner, matter was referred to Mediation and Conciliation Centre of this Court and parties were directed to appear before the Mediation Centre on 21.08.2018.

3. Learned counsel for respondent No.1 submitted that the dispute between the parties has been amicably settled before the Mediation and Conciliation Centre of this Court vide settlement dated 17.09.2018 and according to the settlement, the petitioner would pay a sum of ₹ 4 lakhs in

four equated installments for clearance of the loan account. The first installment of ₹ 1 lakh was to be paid on or before 04.10.2018, second installment of ₹ 1 lakh on or before 04.11.2018, third installment of ₹ 1 lakh on or before 04.12.2018 and the last and final installment of ₹ 1 lakh on or before 04.01.2019.

4. Learned counsel for the respondent-bank submitted that on 04.10.2018 the petitioner had deposited the first installment of ₹ 1 lakh. As regards second installment due on 04.11.2018, the petitioner had not complied with the settlement though he paid ₹ 50,000/- towards that installment.

5. Learned counsel for the petitioner did not dispute the aforesaid fact. However, he submitted that another sum of ₹ 50,000/- would be paid on or before 21.11.2018. He further submitted that the installments due on 04.12.2018 and 04.01.2019 would be honoured by the petitioner in time.

6. In view of the above, the present petition is disposed of with a direction that in case the amount of ₹ 50,000/- is deposited on or before 21.11.2018, the delay in depositing the said installment would stand condoned. However, it is clarified that in case, the petitioner fails to adhere to the schedule as agreed in the settlement in future, it would be open to the respondent-bank to proceed further in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

14.11.2018
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?
Whether reportable?

Yes/No
Yes/No