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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8279/2015 & CM APPL. 17455/2015(for stay of recovery proceedings against petitioner)

AZAD SINGH & ANR Petitioner

Through: Mr. Misbahuddin Siddiqui, Advocate.

versus

DELHI STATE COOPERATIVE BANK LTD. & ORS

..... Respondent

Through: Mr. S. K. Kaushik, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **11.01.2018**

Learned counsel appearing on behalf of the petitioner states that the latter is willing to disburse the entire outstanding amount to the respondent bank by paying of sum of Rs. 18,000 per month; on or before the 15th of each calendar month, till the entire balance amount is discharged. However, it is stated that they do not have an up-to-date balance statement in relation to the subject account.

A copy of the up-to-date statement of the account in relation to the petitioner has been handed over by learned counsel appearing on behalf of the respondent to the former, in court today.

Learned counsel appearing on behalf of the petitioner, on instructions, states that a direction be issued to the executing officer

before whom the execution filed by the bank is pending disposal, to take into account the payments already made on behalf of the petitioner to the respondent bank, whilst adjudicating to the former's liability.

Directed accordingly.

Needless to state that the cost of Rs.30,000/- directed to be paid by the respondent bank to the petitioner shall also stand to the credit of the latter.

In view of the forgoing, no further directions are called for in the present petition. The petition along with all pending applications are accordingly disposed off.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

JANUARY 11, 2018/js