

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1259 of 2019

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1. Gurmit Kaur (Female), aged about-36 years, wife of Sardar Amarjeet Singh.
 2. Narendra Singh (Male), aged about-50 years, son of Late Sardar Mahendra Singh @ Late Jaswinder Singh.
 3. Jacky Singh (Male), aged about 33 years, son of Tajendra Singh
- All are resident of Mohalla- Baare ki Gali, Jhauganj, P.O.-Patna City, Police Station-Chowk Kalan, District-Patna.

... .. Petitioner/s

Versus

1. Central Bank of India through its Regional Manager, Regional Office, Patna
2. Chief Manager, Regional Officer, Recovery, Central Bank of India, Patna.
3. The Branch Manager, Central Bank of India, Jhauganj, Patna City, Patna
4. Recovery Officer, Debts Recovery Tribunal, 2nd Floor, A,B and F Wing Karpuri Thakur Sardar, Ashiana Digh Road, Patna-800025

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.02, Adv.
For the Respondent/s : Mr.Ajay Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2019 In the nature of reliefs prayed in the writ application, this Court cannot exercise its discretionary power under Article 226 of the Constitution of India to interfere with a demand notice issued by the Recovery Officer, Debts Recovery Tribunal in R.P. No. 104 of 2018.

It is not in dispute that earlier a certificate has been issued in O.A. No. 142 of 2017 by the Debts Recovery Tribunal, Patna for an amount of Rs.3,60,83,947/- with cost, expenses and pendentlite and future interest at the rate of 10% per annum simple from 20.02.2017 till the date of realization of the entire sum. The petitioners had entered into a settlement in terms of



the letter dated 01.08.2017 (Annexure 1) whereunder he had agreed to pay a sum of Rs.1,90,00,000/- within a period of three months and there are other terms and conditions mentioned in Annexure '2'.

Mr. Manish Kumar, learned counsel representing the petitioners submits that a sympathetic view may be taken by this Court as the petitioners have got some problems because of which payments could not be made. Learned counsel submits that the petitioners are willing to pay the entire amount up to date which will be payable to the bank within a period of six months from today.

In the opinion of this Court, it is for the petitioners to pursue and the Bank to consider such offers.

So far as this Court is concerned, this writ application has got no merit, it is, accordingly, dismissed.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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