

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 438 OF 2014

VILASRAO SHRINIVASRAO PATIL AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

...

Advocate for Petitioners : Miss. Pratibha B.
Khanderao h/f. Mr. Kulkarni Vivek V.
and Mr. Vinod P. Patil

Advocate for Respondent No. 1 : Mr. A. B. Dhongade
AGP for Respondent No. 2 : Mr. A. R. Kale
Advocate for Respondents No. 3 & 4 :
Mr. P. B. Paithankar

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, J.

DATE: 14th AUGUST, 2019

PER COURT:

1. The petitioners seek benefit of the Agricultural Debt Waiver and Debt Relief Scheme, 2008.

2. The learned counsel for the petitioners submits that the petitioners honestly and sincerely paid the loan amount in June 2007. The Bank never intimated the petitioners about the

benefits the petitioners would be entitled to under the said scheme. The petitioners are agriculturist. The loan in question was agricultural loan. The petitioners are entitled for the benefits of Agricultural Debt Waiver and Debt Relief Scheme, 2008.

3. Mr.Paithankar and Mr. Dhongade, learned counsel for the respondents submit that the petitioners had cleared the loan before the enforcement of the Agricultural Debt Waiver and Debt Relief Scheme, 2008, that came into force in May - 2008. The petitioners were given the benefits of one time settlement scheme and the petitioners cleared the loan on 07.06.2007.

4. It appears that the Government of India had introduced the Agricultural Debt Waiver and Debt Relief Scheme in 2008 and the same was launched in May - 2008 to address the problems faced by the farmers of India for repayment of the loan taken by them. As per clause 4.1 of the scheme the

agricultural loans meeting the following set of conditions were to be covered under the scheme -

*">> Loans disbursed between 1st April 1997 and 31st March 2007 and,
>> Overdue as on 31st December 2007 and,
>> Remaining unpaid upto 29th February 2008."*

As the petitioners have already cleared the loan by availing benefit of one time settlement scheme on 07.06.2007 and the loan of the petitioners was for an earlier period, the petitioners shall not be entitled for the benefit of the said scheme.

5. In the light of above, no relief can be granted to the petitioners.

6. Writ Petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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