

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3278-2019

Date of decision : 06.01.2020

Chandigarh Motors and others

... Petitioners

Versus

Allahabad Bank

... Respondent

***CORAM: HON'BLE MR. JUSTICE RAJIV SHARMA
HON'BLE MR.JUSTICE HARINDER SINGH SIDHU***

Present: Mr.V.K. Sachdeva, Advocate
for the petitioners.

Mr.Nakul Sharma, Advocate
for the respondent.

RAJIV SHARMA, J.(ORAL)

Petitioner no.1-firm had taken loan from the respondent-financial institution in the year 2011-12. Since the loan amount was not repaid, the account of the petitioner-firm was declared NPA on 29.07.2018 with an outstanding liability of Rs.5.16 crore. The petitioner submitted an application for one time settlement on 07.12.2018 for a sum of Rs.5.45 crore. The application was rejected on 07.01.2019. The matter was settled on 30.03.2019 whereby the petitioner was directed to repay Rs.5.81 crore by 31.08.2019. The petitioner had already repaid a sum of Rs.1.50 crore. It is stated at bar that new OTS scheme was published on 01.04.2019. The case of the petitioner precisely is that his case is to be considered as per new policy framed on 01.04.2019.

The fact of the matter is that till date the petitioner has to pay a sum of Rs.4.31 crore to the bank.

Learned counsel appearing on behalf of the petitioner on the basis of instructions imparted to him, undertakes that his client would deposit a sum of Rs.1 crore on or before 31.01.2020. A sum of Rs.2 crore shall be deposited within a further period of two months and remaining amount shall also be deposited within a further period of one month. The respondent Bank shall consider the application submitted under new OTS scheme on its own merits, published on 01.04.2019.

It is made clear that if the petitioner-firm is entitled to any benefit, the same shall be granted to it strictly in accordance with law.

Consequently, the present petition is disposed of with the aforesaid directions.

(RAJIV SHARMA)
JUDGE

(HARINDER SINGH SIDHU)
JUDGE

January 06, 2020.
Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No