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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5790/2020

SUNDEEP SRIVASTAVA

..... Petitioner

Through Mr. Kirti Uppal, Sr. Adv. with Mr.
Sidharth Chopra and Mr. Aditya Raj, Advs for
Petitioner with Petitioner in Person

versus

UNION OF INDIA & ORS.

..... Respondent

Through Mr. Vikram Jaitley, CGSC for R-1
Mr. Puneet Bhalla, Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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31.08.2020

This hearing is conducted through Video Conferencing.

CM No.20926/2020

Exemption allowed, subject to all just exceptions. Application stands disposed of.

W.P.(C) 5790/2020 & CM No.20925/2020

This Writ Petition is filed by the petitioner seeking appropriate directions to the bank to enforce the Regulatory Package announced by the RBI in letter and spirit qua the petitioner. Reliance is placed on circular dated 17.4.2020 and 23.5.2020 issued by RBI. Case of the petitioner is that petitioner availed off a housing loan from ICICI Bank. The petitioner states that he has paid all the dues of EMIs till the month of March 2020 and the amount was standard and regular as on 20.3.2020.

In view of the Pandemic and the consequent lockdown the petitioner applied for moratorium for the loan accounts. Grievance of the petitioner is that moratorium as stipulated in the aforementioned circulars of RBI has not been uniformly applied by the respondent/ICICI Bank.

Issue notice. Learned counsel for respondent No.3 enters appearance. He very fairly states that ICICI Bank will abide by the circulars of RBI regarding grant of moratorium for the period in question. He, however, states that the moratorium as of now is ending as of today. Learned counsel for respondent No.1 has also entered appearance.

After some arguments, it is agreed that the respondent bank shall postpone the instalments payable for the duration of the moratorium, namely, April till August, 2020. The petitioner will pay contractual interest rate for the outstanding amount. No penal charges will be levied for this moratorium period.

Parties agree that they will abide by the aforesaid settlement. The EMIs that the petitioner paid for the month of April 2020 will be adjusted against the EMIs for the month of September 2020.

Nothing further survives in this petition.

Petition is disposed of with the above directions.

JAYANT NATH, J

AUGUST 31, 2020/n