Court No. - 42

Case :- WRIT - C No. - 20012 of 2020

Petitioner :- Fatma Ali
Respondent :- State Of U.P. And 2 Others
Counsel for Petitioner :- Animesh Srivastava,Ashish Kumar
Counsel for Respondent :- C.S.C.,Krishna Kant Tiwari

Hon'ble Ashwani Kumar Mishra,J.

Heard learned counsel for the petitioner, learned Standing Counsel for the State and Sri K.K. Tiwari, learned counsel for respondent Bank.

Admittedly petitioner has defaulted in repayment of agricultural loan taken from the respondent-Bank. A recovery certificate, dated 16.3.2020, for recovery of Rs.14,07,158/- has been issued.

At this stage learned counsel for the petitioner states that petitioner is willing to pay the loan amount in easy installments.

Having regard to the fact that petitioner has offered to pay the entire amount due against him, in my view, the ends of justice require that the petitioner be granted opportunity to deposit the entire outstanding amount due against him in the following manner:

(i) Petitioner shall deposit a sum of Rs.3,00,000/- within a period of two months from today with the respondent Bank.

(ii) In case the amount, as indicated above, is deposited within the period prescribed, the respondent Bank shall provide a fresh schedule for re-payment of balance amount in four quarterly installments and the same shall be deposited by the petitioner, accordingly.

(iii) No recovery charges shall be recovered from the petitioner by the respondent authorities.

(iv) Till the period prescribed for depositing initial amount and thereafter the installments, the recovery proceedings will be kept in abeyance. In case the petitioner defaults in depositing initial amount or thereafter installments within the stipulated period, it will be open for the respondents to start recovery proceedings against the petitioner.

With the aforesaid observations/directions, the writ petition stands disposed of.

The concerned Authority/Official shall verify the authenticity of computerized copy of this order from the official website of High Court Allahabad and shall act accordingly without waiting for submission of the certified copy of this order.

Order Date :- 2.12.2020
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