

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5447 of 2021

1. S. SARWAR HUSSAIN @ SARWAR HUSSAIN AND OTHERS Son of Late S. Nasir Hussain Resident of Tootwari Road, Panchayatiya Akhara, P.o.- H.P.O., Gaya Town, and Distrcit- Gaya
2. S. Haider Husaain @ S. Haider Hussain Rizvi Son of Late s.Nasir Hussain Resident of Tootwari Road, Panchayatiya Akhara, P.o.- H.P.O., Gaya Town, and Distrcit- Gaya

... .. Petitioner/s

Versus

1. The chief Manager, Punjab National Bank, Inter Office, Rai Kashi Nath More Gaya
2. The Branch Manager, Punjab National Bank, Branch Office, Rai Kashi Nath More, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Advocate

For the Respondent/s : Mr.Kumar Priya Ranjan, SC-P.N.B.
Mr. Pallav, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2021

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ, order or direction particularly in the nature of mandamus for a direction to the Respondent Bank to grant extension of time of 12 months at least for repayment of loan amount remained due pursuant to compromise entered between parties on 25.03.2020.”

Yesterday, we had passed the following order:

“It is contended that in April, 2020 petitioner had entered into a One Time



Settlement with the respondent Bank, whereby petitioner had agreed to pay a sum of ₹45 lacs, out of which petitioner has already paid a sum of ₹41 lacs. Only on account of current Pandemic Covid-19, petitioner could not deposit the balance amount of ₹4 lacs (Approx.), which the petitioner is now ready and willing to do so within a period of three months. Also, the petitioner is ready and willing to deposit the interest accrued on the settled amount.

To establish his *bona fide*, petitioner is also ready and willing to deposit a sum of ₹1 lac with the respondent Bank within next 48 hours.

As prayed for, list this case on 22nd of December, 2021 so as to enable learned counsel for the respondent Bank to take instructions.”

Mr. Kumar Priya Ranjan, learned counsel for the Bank, informs that the total outstanding amount as would be payable by the petitioner on 31st of December, 2021, is Rs.4,70,000/-.

Having given thoughtful consideration, we are of the considered view that petitioner deserves concession towards waiver of the amount of interest. We are sure that the Bank shall take a liberal view in the matter.

The petitioner undertakes to pay the amount in terms of our order 21.12.2021, reproduced supra, on or before



31st of January, 2022.

The petition is disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.12.2021
Transmission Date	

