

25.11.2021
Sl. No.7
srm

W.P.A. No. 14585 of 2021

Smt. Mitali Mitra

Vs.

State of West Bengal & Ors.

Mr. P.K. Banerjee,
Ms. Indrani Nandi

...for the Petitioner.

Mr. Pradip Kumar Roy,
Ms. Shraboni Sarkar

...for the State-respondents.

Mr. Ankit Surekha

...for the Bank.

As per the instructions of the Branch Manager, Baidyabati-Sheoraphuli Cooperative Bank Ltd., the present dues as on November 17, 2021 which includes a part of the principal as also the interest component is Rs.4,04,144/-. The petitioner shall pay this amount in two equal monthly instalments. First of such instalment shall be paid within December 22, 2021. The next instalment shall be paid within January 31, 2022. Fraction, if any, will be added with the last instalment.

As the petitioner has already shown *bona fide* with regard to the payment and has paid the amount, as directed by this Court, and is willing to pay dues as standing on November 17, 2021, as calculated by the bank itself, I do not

find any reason to keep the writ petition pending. The petitioner shall pay off the said amount, as stated hereinabove. No further interest shall be charged by the bank beyond the amount, as indicated hereinabove. In case of default in payment of any of the instalments, as directed hereinabove, the bank shall proceed in accordance with law. The calculation made by the Branch Manager is taken on record. The court is of the opinion that the petitioner has made all attempts to pay the outstanding as such this should be treated as the full and final settlement of the dues. The sale notice dated March 26, 2021 shall remain stayed till January 31, 2022 and thereafter shall lose its force if the petitioner complies with the order.

This writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)