

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.4391 of 2021**

- Subhash Chandra Singh S/o P.N. Singh, Aged About 61 Years R/o House No. 261, Kailash Nagar, Near M.P.H.B. Bhilai, District : Durg, Chhattisgarh

---- **Petitioner****Versus**

- U.C.O. Bank Through Its Branch Manager, Indira Place, Civic Center, Bhilai, District : Durg, Chhattisgarh

---- **Respondent**

For Petitioner	:	Mr. Shikhar Bakhtiyar, Advocate
For Respondent	:	Mr. P.R. Patankar, Advocate with Mr. Suyashdhar Diwan, Advocate

S.B. - Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01.11.2021**

1. Heard on petition as also on prayer for grant of interim relief.
2. It is submitted by the counsel for the petitioner that the respondent has issued a notice under Section 13 (2) of the SARFAESI Act for recovery of the amount dues.
3. The petitioner has made a representation dated 20.09.2021 praying for grant of some time to make payment of the amount due upon him. It is submitted that despite the representation the respondent has published the auction notice for the purpose of recovery of the outstanding amount from the petitioner.
4. It is submitted by counsel for the petitioner that the petitioner undertakes to make the payment of the outstanding amount to the respondent within a period of 60 days from today, therefore, auction procedure initiated against the petitioner may be stayed until the period of 60 days.

5. Counsel appearing for the respondent opposes the submissions and submits that the respondent is ready to withhold auction procedure against the petitioner for a period of 60 days in case the petitioner does not dispute the recovery proceedings.
6. In reply it is submitted by the counsel for the petitioner that the petitioner is not disputing the recovery proceedings against him and not raising any dispute on the entitlement of the respondent against the petitioner.
7. On the basis of these statements and undertaking from both the side it is ordered that the auction proceeding against the petitioner initiated by the respondent shall remain stayed until 31st December, 2021, in case the petitioner fails to make payment of the outstanding dues to the respondent until the date mentioned herein above, the respondent shall be free to proceed with the recovery proceeding as initiated by it. With these observations this petition is disposed of.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

yasmin