

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13143 of 2021

1. Kaiser Eqabal @ Kaiser Iqbal S/O Iqbal Ahmad @ Ahmad Iqbal resident of G.B. Road, Near KGN Trading Chandauti, P.S. Gaya, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Finance Secretary, Finance Department, Govt of Bihar, Patna.
2. The Chief General Manager, Punjab national bank, Plot no. 4, sector 10, Dwarka New Delhi 110075
3. The Zonal Manager, Punjab National bank Plot no. 4, sector 10, Dwarka New Delhi 110075
4. The Regional Manager, Punjab National Bank, Regional office Chanakya Palace Second floor Patna 800001.
5. The Circle Office, Punjab National Bank, Regional Office Chanakya Palace second floor Patna 800001.
6. The Branch Manager, Punjab National Bank, Branch Rai Kashinath More, Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Gautam Kumar Yadav, Advocate
For the Respondent/s	:	Mr. Ajay Kumar Rastogi, AAG-10
		Mr. Kumar Priya Ranjan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/ Hon'ble Judges through Video Conferencing from their residential offices/residences. Also, the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 13-01-2022



Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- (A) To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to extend the date for depositing the housing loan amount for 6 month .
- (B) To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to charge of interest on interest / compound interest / penal interest component from the Petitioner on housings loan for the period between March 2020 to till date ,for the period during the moratorium extend the date for depositing the housing loan amount for 6 month .
- (C) To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to calculate the loan amount after adjusting the loan repayment amount paid by the Petitioner till amount of Rs. 23 lakhs and further to direct the respondent to give the statement of account to the petitioner.
- (D). To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to grant benefit of one time settlement after calculating the loan amount without adding the interest on interest /compound interest/ penal interest for the period during the moratorium.
- (E). To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondent to accept 20% amount of principal loan amount under their one time settlement scheme and to settle the loan amount because the petitioner has already repayed amount of Rs 23 lakhs against the sanction loan and disbursements amount of Rs 24 lakhs.
- (F). To issue writ / writs including a writ of mandamus or any other writ or direction in the nature thereof directing the respondents not to charge the interest on the outstanding portion of the housing terms loan during the moratorium period.
- (G). Any other relief / reliefs for which the petitioner is entitled under the facts and circumstances of the case.

Shri Kumar Priya Ranjan, learned counsel for the respondents states that petitioner has already entered into a



compromise with the respondent Bank and in terms thereof has also paid certain amount and has agreed to adhere to the repayment schedule fixed by the Bank.

Statement accepted and taken on record.

In view of the said statement, petition stands disposed of.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	17.01.2022
Transmission Date	

