

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.19944 of 2021**

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Inkal Hussain @ Ikbal Hussain Son of Moberk Hussain Resident of Mohalla-  
Baratpur Pasikhana, P.O. and P.S.- Aurangabad, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Finance and Banking Department, Government of Bihar, Patna.
2. The Chief Manager, Punjab National Bank, Aurangabad Circle, Aurangabad.
3. The Branch Manager, Punjab National Bank, Old G.T. Road Branch, Aurangabad.

... .. Respondent/s

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**Appearance :**

|                      |   |                                    |
|----------------------|---|------------------------------------|
| For the Petitioner/s | : | Mr. Shailesh Kumar Singh, Advocate |
|                      |   | Mr. Rajnish Ranjan, Advocate       |
| For the Respondent/s | : | Smt. Anuradha Singh ( S.C. 21 )    |
|                      |   | Mr. Kumar Priya Ranjan, Advocate   |

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**CORAM: HONOURABLE THE CHIEF JUSTICE**  
**and**  
**HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

**(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.)**

2      03-02-2022                      Heard learned counsel for the parties.

Petitioner has prayed for following relief(s) :-

(i) For a direction to the respondent Bank to provide some more time for six months to the petitioner for payment rest loan amount i.e. 5,00,000/- (Five Lacs) as per the



compromise order dated 10.07.2021 passed in Lok Adalat.

(ii) For a direction to the respondent Bank to not initiate auction proceeding against the petitioner's house in which he is living with family members.

(iii) For any other order/orders on facts and circumstances of the case stated herein after and circumstances of the case stated hereinafter."

Learned counsel for the petitioner states that petitioner is ready and willing to settle the dispute by approaching the respondent authorities.

To show his bona fides, petitioner, through the learned counsel, undertakes to deposit a sum of Rs. 50,000/- within a period of one week from today.

Undertaking accepted and taken on record.

Also, petitioner is ready and willing to approach the respondent lender for one time settlement, be it for waiver of interest or the repayment of amount in installments.

Learned counsel for the respondent does not oppose such proposal.

In view of the undertaking made by the petitioner, the petitioner is directed to approach the respondent authorities i.e. Respondent No. 2, namely The Chief Manager, Punjab



National Bank, Aurangabad Circle, Aurangabad, by filing a proper application after depositing a sum of Rs. 50,000/- and the concerned respondent authorities are directed to consider and decide adjudicate the issue of waiver of interest and/or to fix the modalities for repayment of the rest amount within a period of three months.

Till such time the proposal is decided, status quo shall be maintained.

Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law.

We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch.

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/chn

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