

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17775 of 2019

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Shambhu Prasad son of Late Dhanraj Sah resident of Ward No. 10, Main Bazar, Nokha, Police Station- Nokha, District Rohtas.

... .. Petitioner/s

Versus

1. The Dakshin Bihar Gramin Bank through its Chairman, Dakshin Bihar Gramin Bank, Head Office, Kankarbagh, Patna.
2. Regional Manager, Dakshin Bihar Gramin Bank, Regional Office, Sasaram, District- Rohtas.
3. The Regional Officer-cum- Authorised Officer, Dakshin Bihar Gramin Bank, Regional Office, Sasaram, District- Rohtas.
4. The Branch Manager, Dakshin Bihar Gramin Bank, Nokha Branch, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Prasad Singh, Advocate
For the Respondent/s : Mr.Dr. Anand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

2 25-04-2022 Heard the learned counsel for the parties.

During the pendency of the proceedings under the SARFAESI Act in Debt Recovery Tribunal, an amount of Rs. 30,00,000/- was directed to be paid to the petitioner, out of which he paid Rs. 14,00,000/- on 31.03.2016 and Rs. 10,26,000/- on 11.01.2019 in two installments.

The matter pertains to a residential house. It appears that the petitioner has paid considerable amount out of the settlement amount. Now the Bank intends to proceed further to



recover the loan amount due to the delay caused by the petitioner in paying the settlement amount, within the stipulated time.

On due consideration of the matter, we feel that the petitioner ought to be heard and afforded one opportunity by the respondent no. 2 and efforts should be made to settle the matter amicably, more particularly when the matter pertains to residential house. We hope and trust that the loanee shall appear before the respondent no. 2 on 05th of May, 2022 at 11:00 A.M. and the matter would be amicably resolved.

Till then no coercive action shall be taken.

The writ petition stands disposed off on the aforesaid terms.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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