

21.06.2022
sayandeep
Sl. No. 06
Ct. No. 05

WPA 10341 of 2022

Samiran Pradhan
-Versus-
The Regional Manager, UCO Bank & Ors.

Mr. Ram Chandra Guchhait
..... for the petitioner

Mr. Santosh Kr. Ray
Ms. S. Chakravorty
..... for the respondent Nos. 1,2and 3

The grievance of the petitioner relates to a letter of the UCO Bank dated 07.05.2022 by which the petitioner was called upon to deposit the amount of Rs. 88083.41 in terms of a loan taken by the petitioner's wife in 2012. The Bank has threatened the petitioner that in the event the petitioner fails to return the amount within 15 days, the Bank shall be entitled to seize the vehicle for which the loan was taken and proceed for sale of the vehicle.

It appears from the documents as well as the submissions of learned counsel appearing for the parties that the petitioner's wife one Smt. Smritikana Pradhan took a loan from the Bank on 21.03.2012 of which amount of Rs. 8,72,560.00 was to be returned by the borrower in equal monthly installments. After returning the amount of Rs. 10,76,978.36 up to 2019, the petitioner (the borrower expired in the meantime) had only an amount of Rs. 88,083.41/- for repayment.

The Bank issued a letter to the petitioner on 04.09.2021 stating that remaining amount would be settled in a LOK ADALAT to be held on 11.09.2021 at the Howrah Court. Since the LOK ADALAT could not be held, the date was deferred to 06.05.2022. The LOK ADALAT could not be held even on that date. The Bank in the meantime proceeded to issue an impugned letter dated 07.05.2022 for seizing the petitioner's vehicle.

The facts indicate that having issued the letter of 04.09.2021 for settlement of the remaining amount, the Bank was fully aware that the LOK ADALAT could not be held on two fixed dates, the Bank could not have proceeded to threaten the petitioner for seizing of the vehicle. The impugned letter of 07.05.2022 hence cannot be sustained and is quashed for the above reasons.

Since the parties are submitted that the petitioner's due remains outstanding, and agreed by the Bank, the petitioner shall meet the Chief Manager, of the Balitikuri Branch of the UCO Bank tomorrow between 12 at noon to 3:30 p.m. as suggested.

WPA 10341 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)